



# House of Representatives

General Assembly

**File No. 451**

January Session, 2015

Substitute House Bill No. 6823

*House of Representatives, April 7, 2015*

The Committee on Transportation reported through REP. GUERRERA of the 29th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT CONCERNING THE CONNECTICUT AIRPORT AUTHORITY'S  
RECOMMENDATIONS REGARDING OPERATION OF THE  
AUTHORITY, AIRPORT DEVELOPMENT ZONE ADMINISTRATION  
AND THE AUTHORITY'S JURISDICTION OVER AERONAUTICS IN  
THE STATE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (n) of section 15-120bb of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (n) The executive director of the Connecticut Airport Authority shall  
5 establish an advisory committee to consult with on matters relating to  
6 Bradley International Airport and business related to said airport. The  
7 committee may consist of not more than six members, one of whom  
8 shall be appointed by the cochairpersons of the joint standing  
9 committee of the General Assembly having cognizance of matters  
10 relating to transportation, and one of whom shall be appointed by the  
11 ranking members of the joint standing committee of the General

12 Assembly having cognizance of matters relating to transportation. The  
13 advisory committee shall consist of residents of and representatives of  
14 businesses located in the Bradley Airport development zone, as well as  
15 one or more representatives from western Massachusetts. Members of  
16 such advisory committee may attend public meetings of the  
17 Connecticut Airport Authority and monthly managers' meetings of the  
18 Connecticut Airport Authority.

19 Sec. 2. Section 15-120dd of the general statutes is repealed and the  
20 following is substituted in lieu thereof (*Effective from passage*):

21 (a) The board of directors of the authority shall adopt written  
22 procedures, in accordance with the provisions of section 1-121, for: (1)  
23 Adopting an annual budget and plan of operations, including a  
24 requirement of board approval before the budget or plan may take  
25 effect; (2) hiring, dismissing, promoting and compensating employees  
26 of the authority, including an affirmative action policy and a  
27 requirement of board approval before a position may be created or a  
28 vacancy filled; (3) acquiring real and personal property and personal  
29 services, including a requirement of board approval for any  
30 nonbudgeted expenditure in excess of five thousand dollars; (4)  
31 contracting for financial, legal, bond underwriting and other  
32 professional services, including a requirement that the authority solicit  
33 proposals at least once every three years for each such service which it  
34 uses; (5) issuing and retiring bonds, bond anticipation notes and other  
35 obligations of the authority; (6) awarding loans, grants and other  
36 financial assistance, including eligibility criteria, the application  
37 process and the role played by the authority's staff and board of  
38 directors; and (7) [the use of] using surplus funds to the extent  
39 authorized under sections 15-120aa to 15-120oo, inclusive, or other  
40 provisions of the general statutes.

41 (b) Notwithstanding the provisions of subdivision (3) of subsection  
42 (a) of this section, the board of directors may authorize the executive  
43 director to make nonbudgeted expenditures of up to five hundred  
44 thousand dollars without prior board approval (1) to restore

45 operations at any airport owned or operated by the authority, if such  
46 airport or the equipment of such airport is damaged as a result of a  
47 natural disaster or incurs a substantial casualty loss that results in an  
48 unsafe condition, or (2) where the failure to act would result in a  
49 disruption of airport operations. Not later than twenty-four hours after  
50 the executive director makes such nonbudgeted expenditure, the  
51 executive director shall provide notification to the chairperson or vice  
52 chairperson of the board of the amount of, and reason for, such  
53 expenditure.

54 [(b)] (c) Each member of the board of directors of the authority shall  
55 execute a surety bond in the penal sum of fifty thousand dollars and  
56 the executive director shall execute a surety bond in the penal sum of  
57 one hundred thousand dollars, or, in lieu thereof, the chairperson of  
58 the board shall execute a blanket position bond covering each member,  
59 the executive director and the employees of the authority, each surety  
60 bond to be conditioned upon the faithful performance of the duties of  
61 the office or offices covered, to be executed by a surety company  
62 authorized to transact business in this state as surety and to be  
63 approved by the Attorney General and filed in the office of the  
64 Secretary of the State. The cost of each such bond shall be paid by the  
65 authority.

66 Sec. 3. Subsection (a) of section 32-1m of the general statutes is  
67 repealed and the following is substituted in lieu thereof (*Effective from*  
68 *passage*):

69 (a) Not later than February 1, 2006, and annually thereafter, the  
70 Commissioner of Economic and Community Development shall  
71 submit a report to the Governor and the General Assembly, in  
72 accordance with the provisions of section 11-4a. Not later than thirty  
73 days after submission of the report to the Governor and the General  
74 Assembly, said commissioner shall post the report on the Department  
75 of Economic and Community Development's web site. Said report  
76 shall include, but not be limited to, the following information with  
77 regard to the activities of the Department of Economic and

78 Community Development during the preceding state fiscal year:

79 (1) A brief description and assessment of the state's economy during  
80 such year, utilizing the most recent and reasonably available data, and  
81 including:

82 (A) Connecticut employment by industry;

83 (B) Connecticut and national average unemployment;

84 (C) Connecticut gross state product, by industry;

85 (D) Connecticut productivity, by industry, compared to the national  
86 average;

87 (E) Connecticut manufacturing activity;

88 (F) Identification of economic and competitive conditions affecting  
89 Connecticut's industry sectors, problems resulting from these  
90 conditions and state efforts to address the problems;

91 (G) A brief summary of Connecticut's competitiveness as a place for  
92 business, which shall include, but not be limited to, an evaluation of (i)  
93 how the programs and policies of state government affect the state  
94 economy and state business environment, (ii) the ability of the state to  
95 retain and attract businesses, (iii) the steps taken by other states to  
96 improve the competitiveness of such states as places for business, and  
97 (iv) programs and policies the state could implement to improve the  
98 competitiveness of the state in order to encourage economic growth;  
99 and

100 (H) Any other economic information that the commissioner deems  
101 appropriate.

102 (2) A statement of the department's economic and community  
103 development objectives, measures of program success and standards  
104 for granting financial and nonfinancial assistance under programs  
105 administered by the department.

106 (3) An analysis of the economic development portfolio of the  
107 department, including:

108 (A) A list of the names, addresses and locations of all recipients of  
109 the department's assistance;

110 (B) The following information concerning each recipient of such  
111 assistance: (i) Business activities, (ii) standard industrial classification  
112 codes or North American industrial classification codes, (iii) number of  
113 full-time jobs and part-time jobs at the time of application, (iv) number  
114 of actual full-time jobs and actual part-time jobs during the preceding  
115 state fiscal year, (v) whether the recipient is a minority or woman-  
116 owned business, (vi) a summary of the terms and conditions for the  
117 assistance, including the type and amount of state financial assistance,  
118 job creation or retention requirements and anticipated wage rates, (vii)  
119 the amount of investments from private and other nonstate sources  
120 that have been leveraged by the assistance, (viii) the extent to which  
121 employees of the recipient participate in health benefit plans offered  
122 by such recipient, (ix) the extent to which the recipient offers unique  
123 economic, social, cultural or aesthetic attributes to the municipality in  
124 which the recipient is located or to the state, and (x) the amount of  
125 state investment;

126 (C) A portfolio analysis, including (i) an analysis of the wages paid  
127 by recipients of financial assistance, (ii) the average portfolio wage,  
128 median portfolio wage, highest and lowest portfolio wage, (iii)  
129 portfolio wage data by industry, and (iv) portfolio wage data by  
130 municipality;

131 (D) An investment analysis, including (i) total portfolio value, (ii)  
132 total investment by industry, (iii) portfolio dollar per job average, (iv)  
133 portfolio leverage ratio, and (v) percentage of financial assistance  
134 which was provided to high performance work organizations in the  
135 preceding state fiscal year; and

136 (E) An analysis of the estimated economic effects of the  
137 department's economic development investments on the state's

138 economy, including (i) contribution to gross state product for the total  
139 economic development portfolio and for any investment activity  
140 occurring in the preceding state fiscal year, (ii) direct and indirect  
141 employment created by the investments for the total portfolio and for  
142 any investment activity occurring in the preceding state fiscal year, (iii)  
143 productivity of recipients of financial assistance as a result of the  
144 department's investment occurring in the preceding state fiscal year,  
145 (iv) directly or indirectly increased property values in the  
146 municipalities in which the recipients of assistance are located, and (v)  
147 personal income.

148 (4) An analysis of the community development portfolio of the  
149 department, including:

150 (A) A list of the names, addresses and locations of all recipients of  
151 the department's assistance;

152 (B) The following information concerning each recipient of such  
153 assistance: (i) Amount of state investment, (ii) a summary of the terms  
154 and conditions for the department's assistance, including the type and  
155 amount of state financial assistance, and (iii) the amount of  
156 investments from private and other nonstate sources that have been  
157 leveraged by such assistance;

158 (C) An investment analysis, including (i) total active portfolio value,  
159 (ii) total investments made in the preceding state fiscal year, (iii) total  
160 portfolio by municipality, (iv) total investments made in the preceding  
161 state fiscal year categorized by municipality, (v) total portfolio  
162 leverage ratio, and (vi) leverage ratio of the total investments made in  
163 the preceding state fiscal year; and

164 (D) An analysis of the estimated economic effects of the  
165 department's economic development investments on the state's  
166 economy, including (i) contribution to gross state product for the total  
167 portfolio and for any investment activity occurring in the preceding  
168 state fiscal year, (ii) direct and indirect employment created by the  
169 investments for the total portfolio and for any investment activity

170 occurring in the preceding state fiscal year, (iii) productivity of  
171 recipients of financial assistance as a result of the department's  
172 investment occurring in the preceding state fiscal year, (iv) directly or  
173 indirectly increased property values in the municipalities in which the  
174 recipients are located, and (v) personal income.

175 (5) A summary of the department's economic and community  
176 development marketing efforts in the preceding state fiscal year, a  
177 summary of the department's business recruitment strategies and  
178 activities in such year, and a summary of the department's efforts to  
179 assist small businesses and minority business enterprises in such year.

180 (6) A summary of the department's international trade efforts in the  
181 preceding state fiscal year, and, to the extent possible, a summary of  
182 foreign direct investment that occurred in the state in such year.

183 (7) Identification of existing economic clusters, the formation of new  
184 economic clusters, the measures taken by the commissioner during the  
185 preceding state fiscal year to encourage the growth of economic  
186 clusters and the amount of bond funds expended by the department  
187 during the previous fiscal year on each economic cluster.

188 (8) (A) A summary of the department's brownfield-related efforts  
189 and activities within the Office of Brownfield Remediation and  
190 Development established pursuant to subsections (a) to (d), inclusive,  
191 of section 32-761 in the preceding state fiscal year, except for activity  
192 under the Special Contaminated Property Remediation and Insurance  
193 Fund program. Such efforts shall include, but not be limited to, (i) total  
194 portfolio investment in brownfield remediation projects, (ii) total  
195 investment in brownfield remediation projects in the preceding state  
196 fiscal year, (iii) total number of brownfield remediation projects, (iv)  
197 total number of brownfield remediation projects in the preceding state  
198 fiscal year, (v) total of reclaimed and remediated acreage, (vi) total of  
199 reclaimed and remediated acreage in the preceding state fiscal year,  
200 (vii) leverage ratio for the total portfolio investment in brownfield  
201 remediation projects, and (viii) leverage ratio for the total portfolio  
202 investment in brownfield remediation projects in the preceding state

203 fiscal year. Such summary shall include a list of such brownfield  
204 remediation projects and, for each such project, the name of the  
205 developer and the location by street address and municipality and a  
206 tracking of all funds administered through or by said office;

207 (B) A summary of the department's efforts with regard to the  
208 Special Contaminated Property Remediation and Insurance Fund,  
209 including, but not limited to, (i) the number of applications received in  
210 the preceding state fiscal year, (ii) the number and amounts of loans  
211 made in such year, (iii) the names of the applicants for such loans, (iv)  
212 the average time period between submission of application and the  
213 decision to grant or deny the loan, (v) a list of the applications  
214 approved and the applications denied and the reasons for such  
215 denials, and (vi) for each project, the location by street address and  
216 municipality; and

217 (C) A summary of the department's efforts with regard to the dry  
218 cleaning grant program, established pursuant to section 12-263m,  
219 including, but not limited to, (i) information as to the number of  
220 applications received, (ii) the number and amounts of grants made  
221 since the inception of the program, (iii) the names of the applicants,  
222 (iv) the time period between submission of application and the  
223 decision to grant or deny the loan, (v) which applications were  
224 approved and which applications were denied and the reasons for any  
225 denials, and (vi) a recommendation as to whether the surcharge and  
226 grant program established pursuant to section 12-263m should  
227 continue.

228 (9) The following information concerning enterprise zones  
229 designated under section 32-70:

230 (A) A statement of the current goals for enterprise zones;

231 (B) A statement of the current performance standards to measure  
232 the progress of municipalities that have enterprise zones in attaining  
233 the goals for such zones;



234 (C) A report from each municipality that has an enterprise zone,  
235 which evaluates the progress of the municipality in meeting the  
236 performance standards established under section 32-70a; and

237 (D) An assessment of the performance of each enterprise zone based  
238 on information collected under subparagraph (C) of this subdivision.

239 (10) With regard to the grant program designated pursuant to  
240 sections 32-324a to 32-324e, inclusive, an assessment of program  
241 performance.

242 (11) With regard to the fuel diversification program designated  
243 pursuant to section 32-324g, an assessment of program performance.

244 (12) An assessment of the performance of the Connecticut qualified  
245 biodiesel producer incentive account grant program established  
246 pursuant to sections 32-324a to 32-324e, inclusive.

247 (13) An assessment of the performance of the fuel diversification  
248 grant program established pursuant to section 32-324g.

249 (14) A summary of the total social and economic impact of the  
250 department's efforts and activities in the areas of economic and  
251 community development, and an assessment of the department's  
252 performance in terms of meeting its stated goals and objectives.

253 (15) With regard to the Connecticut Credit Consortium established  
254 pursuant to section 32-9yy, a summary of the activity of such program,  
255 including, but not limited to, the number of loans and lines of credit  
256 applied for and approved, the size of the businesses, the amount of the  
257 loans or lines of credit, and the amount repaid to date.

258 (16) With regard to the office of the permit ombudsman, established  
259 pursuant to section 32-726:

260 (A) The names of applicants for expedited review;

261 (B) The date of request for expedited review;

262 (C) The basis upon which the applicant claimed eligibility for  
263 expedited review;

264 (D) State agencies that participated in the permit review process;

265 (E) The dates on which the permit was granted or denied via the  
266 expedited review process or the date the applicant was determined not  
267 to be eligible for expedited review; and

268 (F) If applicable, the reason the applicant was determined not to be  
269 eligible for the expedited review process.

270 (17) With regard to the Small Business Express program established  
271 pursuant to section 32-7g, data on (A) the number of small businesses  
272 that applied to the Small Business Express program, (B) the number of  
273 small businesses that received assistance under said program and the  
274 general categories of such businesses, (C) the amounts and types of  
275 assistance provided, (D) the total number of jobs on the date of  
276 application and the number proposed to be created or retained, and (E)  
277 the most recent employment figures of the small businesses receiving  
278 assistance.

279 (18) With regard to airport development zones established pursuant  
280 to section 32-75d, as amended by this act, a summary of the economic  
281 and cost benefits of each zone and [, in consultation with the  
282 Connecticut Airport Authority,] any recommended revisions to any  
283 such zones.

284 Sec. 4. Subsection (d) of section 32-9 of the general statutes is  
285 repealed and the following is substituted in lieu thereof (*Effective from*  
286 *passage*):

287 (d) "Manufacturing facility" means any plant, building, other real  
288 property improvement, or part thereof, (1) which (A) is constructed or  
289 substantially renovated or expanded on or after July 1, 1978, in a  
290 distressed municipality, a targeted investment community as defined  
291 in section 32-222, an enterprise zone designated pursuant to section 32-  
292 70 or an airport development zone established pursuant to section 32-

293 75d, as amended by this act, or (B) is acquired on or after July 1, 1978,  
294 in a distressed municipality, a targeted investment community as  
295 defined in section 32-222, an enterprise zone designated pursuant to  
296 said section 32-70 or an airport development zone established  
297 pursuant to section 32-75d, as amended by this act, by a business  
298 organization which is unrelated to and unaffiliated with the seller,  
299 after having been idle for at least one year prior to its acquisition and  
300 regardless of its previous use; (2) which is to be used for the  
301 manufacturing, processing or assembling of raw materials, parts or  
302 manufactured products, for research and development facilities  
303 directly related to manufacturing, for the significant servicing,  
304 overhauling or rebuilding of machinery and equipment for industrial  
305 use, or, except as provided in this subsection, for warehousing and  
306 distribution or, (A) if located in an enterprise zone designated  
307 pursuant to said section 32-70, which is to be used by an establishment,  
308 an auxiliary or an operating unit of an establishment, which is an  
309 economic base business as defined in subsection (d) of section 32-222  
310 or has a North American Industrial Classification code of 114111  
311 through 114210, 311111 through 339999, 482111 through 484230,  
312 488310, 488320, 488991, 493120, 493130, 493190, 511210, 512110, 512120,  
313 512191, 522210, 522293, 522294, 522298, 522310, 522320, 522390, 523110,  
314 523120, 523130, 523140, 523210, 523910, 524113, 524114, 524126, 524127,  
315 524128, 524130, 524292, 541711, 541712, 551111, 551112, 551114, 561422,  
316 611310, 611410, 611420, 611430, 611513, 611519, 611710 or 624410 or  
317 any business that is part of an economic cluster, as defined in  
318 subsection (e) of section 32-222, or any establishment or auxiliary or  
319 operating unit thereof, as defined in the North American Industrial  
320 Classification System Manual, or (B) if located in an enterprise zone  
321 designated pursuant to said section 32-70, which is to be used by an  
322 establishment primarily engaged in supplying goods or services in the  
323 fields of computer hardware or software, computer networking,  
324 telecommunications or communications, or (C) if located in a  
325 municipality with an entertainment district designated under section  
326 32-76 or established under section 2 of public act 93-311, is to be used  
327 in the production of entertainment products, including multimedia

328 products, or as part of the airing, display or provision of live  
329 entertainment for stage or broadcast, including support services such  
330 as set manufacturers, scenery makers, sound and video equipment  
331 providers and manufacturers, stage and screen writers, providers of  
332 capital for the entertainment industry and agents for talent, writers,  
333 producers and music properties and technological infrastructure  
334 support including, but not limited to, fiber optics, necessary to support  
335 multimedia and other entertainment formats, except entertainment  
336 provided by or shown at a gambling or gaming facility or a facility  
337 whose primary business is the sale or serving of alcoholic beverages, or  
338 (D) if located in an airport development zone established pursuant to  
339 section 32-75d, as amended by this act, (i) which, for the Bradley  
340 Airport development zone, is to be used for the warehousing or motor  
341 freight distribution of goods transported by aircraft to or from an  
342 airport located in such zone, or (ii) in the opinion of the [Connecticut  
343 Airport Authority, in consultation with the] Commissioner of  
344 Economic and Community Development, may be dependent upon or  
345 directly related to such airport and which, except as provided in this  
346 subparagraph, is to be used for any other business service, excluding  
347 any service provided by an organization that has a North American  
348 Industrial Classification code of 237130, 441110 to 454390, inclusive,  
349 532111, 532112 or 812930; and (3) for which the department [or  
350 authority, as applicable,] has issued an eligibility certificate in  
351 accordance with section 32-9r, as amended by this act. In the case of  
352 facilities which are acquired, the department [or the Connecticut  
353 Airport Authority, as applicable,] may waive the requirement of one  
354 year of idleness if it determines that, absent qualification as a  
355 manufacturing facility under subdivisions (59) and (60) of section 12-  
356 81, and sections 12-217e, 32-9p to 32-9s, inclusive, and 32-23p, there is a  
357 high likelihood that the facility will remain idle for one year. In the  
358 case of facilities located in an enterprise zone designated pursuant to  
359 said section 32-70, (A) the idleness requirement in subparagraph (B) of  
360 subdivision (1) of this subsection, for business organizations which  
361 over the six months preceding such acquisition have had an average  
362 total employment of between six and nineteen employees, inclusive,

363 shall be reduced to a minimum of six months, and (B) the idleness  
364 requirement shall not apply to business organizations with an average  
365 total employment of five or fewer employees, provided no more than  
366 one eligibility certificate shall be issued under this subparagraph for  
367 the same facility within a three-year period. Of those facilities which  
368 are for warehousing and distribution, only those which are newly  
369 constructed or which represent an expansion of an existing facility  
370 qualify as manufacturing facilities. In the event that only a portion of a  
371 plant is acquired, constructed, renovated or expanded, only the  
372 portion acquired, constructed, renovated or expanded constitutes the  
373 manufacturing facility. A manufacturing facility which is leased may  
374 for the purposes of subdivisions (59) and (60) of section 12-81 and  
375 sections 12-217e, 32-9p to 32-9s, inclusive, and 32-23p, be treated in the  
376 same manner as a facility which is acquired if the provisions of the  
377 lease serve to further the purposes of subdivisions (59) and (60) of  
378 section 12-81 and sections 12-217e, 32-9p to 32-9s, inclusive, and 32-23p  
379 and demonstrate a substantial, long-term commitment by the occupant  
380 to use the manufacturing facility, including a contract for lease for an  
381 initial minimum term of five years with provisions for the extension of  
382 the lease at the request of the lessee for an aggregate term which shall  
383 not be less than ten years, or the right of the lessee to purchase the  
384 facility at any time after the initial five-year term, or both. For a facility  
385 located in an enterprise zone designated pursuant to said section 32-70,  
386 and occupied by a business organization with an average total  
387 employment of ten or fewer employees over the six-month period  
388 preceding acquisition, such contract for lease may be for an initial  
389 minimum term of three years with provisions for the extension of the  
390 lease at the request of the lessee for an aggregate term which shall not  
391 be less than six years, or the right of the lessee to purchase the facility  
392 at any time after the initial three-year term, or both, and may also  
393 include the right for the lessee to relocate to other space within the  
394 same enterprise zone, provided such space is under the same  
395 ownership or control as the originally leased space or if such space is  
396 not under such same ownership or control as the originally leased  
397 space, permission to relocate is granted by the lessor of such originally

398 leased space, and such relocation shall not extend the duration of  
399 benefits granted under the original eligibility certificate. Except as  
400 provided in subparagraph (B) of subdivision (1) of this subsection, a  
401 manufacturing facility does not include any plant, building, other real  
402 property improvement or part thereof used or usable for such  
403 purposes which existed before July 1, 1978.

404 Sec. 5. Section 32-9r of the general statutes is repealed and the  
405 following is substituted in lieu thereof (*Effective from passage*):

406 (a) Any person may apply to the department for a determination as  
407 to whether the facility described in an application qualifies as a  
408 manufacturing facility or service facility. [The department shall  
409 forward immediately any application concerning a facility located  
410 within an airport development zone established pursuant to section  
411 32-75d, including an economic impact statement, to the Connecticut  
412 Airport Authority.] Applications for eligibility certificates are to be  
413 made on the forms and in the manner prescribed by the department. In  
414 evaluating each application the department may require the  
415 submission of all books, records, documents, drawings, specifications,  
416 certifications and other evidentiary items which it deems appropriate.  
417 No eligibility certificate shall be issued after March 1, 1991, for a  
418 manufacturing facility located in a distressed municipality which does  
419 not qualify as a targeted investment community unless the department  
420 has issued to the applicant a commitment letter for such facility prior  
421 to March 1, 1991. Notwithstanding the provisions of this subsection, an  
422 eligibility certificate may be issued by the department after March 1,  
423 1991, for a qualified manufacturing facility acquired, constructed or  
424 substantially renovated in a distressed municipality provided the  
425 commissioner determines that such acquisition, construction or  
426 substantial renovation was initiated prior to March 1, 1991, and was  
427 legitimately induced by the prospect of assistance under section 12-  
428 217e and subdivisions (59) and (60) of section 12-81, respectively. The  
429 department may issue an eligibility certificate for a qualified  
430 manufacturing facility or a qualified service facility located in a  
431 targeted investment community upon determination by the

432 commissioner (A) that the acquisition, construction or substantial  
433 renovation relating to the qualified manufacturing facility or qualified  
434 service facility in such community was induced by the prospect of  
435 assistance under section 12-217e and subdivisions (59) and (60) of  
436 section 12-81; and (B) the applicant demonstrates an economic need or  
437 there is an economic benefit to the state. [Notwithstanding the  
438 provisions of this subsection, on and after October 27, 2011, the  
439 Connecticut Airport Authority] The department shall issue an  
440 eligibility certificate for a qualified manufacturing facility located in an  
441 airport development zone established pursuant to section 32-75d, as  
442 amended by this act, and may issue an eligibility certificate for a  
443 facility described in subparagraph (D) of subdivision (2) of subsection  
444 (d) of section 32-9p, as amended by this act, upon determination by the  
445 [authority] department (i) that the acquisition, construction or  
446 substantial renovation relating to the qualified manufacturing facility  
447 or facility described in said subparagraph (D) in the airport  
448 development zone was induced by the prospect of assistance under  
449 section 12-217e and subdivisions (59) and (60) of section 12-81; (ii) the  
450 applicant demonstrates an economic need and there is an economic  
451 benefit to the state without causing an economic detriment to or  
452 conflict with an existing zone; and (iii) that the applicant serves an  
453 airport-related function or relies substantially on airport services. The  
454 department shall issue an eligibility certificate if the commissioner  
455 determines (1) that the manufacturing facility is located in an  
456 enterprise zone designated pursuant to section 32-70 and is a qualified  
457 manufacturing facility, or (2) that the facility is a plant, building, other  
458 real property improvement, or part thereof, which is located in a  
459 municipality with an entertainment district designated under section  
460 32-76 or established under section 2 of public act 93-311, and which  
461 qualifies as a "manufacturing facility" under subsection (d) of section  
462 32-9p, as amended by this act, in that it is to be used in the production  
463 of entertainment products, including multimedia products, or as part  
464 of the airing, display or provision of live entertainment for stage or  
465 broadcast, including support services such as set manufacturers,  
466 scenery makers, sound and video equipment providers and

467 manufacturers, stage and screen writers, providers of capital for the  
468 entertainment industry and agents for talent, writers, producers and  
469 music properties and technological infrastructure support including,  
470 but not limited to, fiber optics, necessary to support multimedia and  
471 other entertainment formats, except entertainment provided by or  
472 shown at a gambling or gaming facility or a facility whose primary  
473 business is the sale or serving of alcoholic beverages.

474 (b) The department shall reach a determination as to the eligibility  
475 of a facility within a reasonable time period, but may postpone the  
476 determination to the extent required to verify to its satisfaction that  
477 there is a high likelihood that any proposed facility will actually be  
478 constructed, expanded, substantially renovated or acquired. Upon a  
479 favorable finding, the department shall issue to the applicant a  
480 certificate to the effect that the facility concerned is a manufacturing  
481 facility or a service facility and is eligible for assistance under section  
482 12-217e and subdivisions (59) and (60) of section 12-81.

483 (c) Except as specified in subsection (d) of this section, upon an  
484 unfavorable determination the department shall issue a notice to the  
485 applicant to the effect that the facility concerned has been determined  
486 not to be a manufacturing facility or a service facility, together with a  
487 statement in reasonable detail as to the reasons for the unfavorable  
488 determination. Any aggrieved applicant shall be afforded an  
489 opportunity for a public hearing on the matter within thirty days  
490 following issuance of the notice. The department shall reconsider the  
491 application based upon the information presented at the public  
492 hearing and reaffirm or change its earlier determination within ten  
493 days of the hearing.

494 (d) Upon an unfavorable determination regarding an application  
495 concerning an airport development zone, the [Connecticut Airport  
496 Authority] department shall issue a notice to the applicant to the effect  
497 that the facility concerned has been determined not to be a  
498 manufacturing facility or a service facility, together with a statement in  
499 reasonable detail as to the reasons for the unfavorable determination.



500 Any aggrieved applicant shall be afforded an opportunity for a public  
501 hearing on the matter within thirty days following issuance of the  
502 notice. The [authority] department shall reconsider the application  
503 based upon the information presented at the public hearing and  
504 reaffirm or change its earlier determination within ten days of the  
505 hearing.

506 (e) The decision of the department rendered pursuant to subsection  
507 (c) [of this section or of the authority rendered pursuant to subsection  
508 (d) of this section, as the case may be,] or (d) of this section to issue an  
509 eligibility certificate or to deny an application for the issuance of an  
510 eligibility certificate either upon the expiration of thirty days without a  
511 public hearing following an initial unfavorable determination or upon  
512 any reconsideration of the application pursuant to subsection (c) or (d)  
513 of this section is conclusive and final as to the matters thereby decided,  
514 and chapter 54 shall not apply to the administrative determinations  
515 authorized to be made by this section.

516 (f) Any person who claims a benefit under section 12-217e or  
517 subdivisions (59) and (60) of section 12-81 shall notify the department  
518 of any change in fact or circumstance which may bear upon the  
519 continued qualification as a manufacturing facility or a service facility  
520 for which an eligibility certificate has been issued. Upon receipt of such  
521 information or upon independent investigation, the department may  
522 revoke the eligibility certificate in the manner provided in subsection  
523 (c) of this section.

524 (g) The commissioner shall adopt regulations, in accordance with  
525 chapter 54, to carry out the provisions of this section. Such regulations  
526 shall provide that establishments in the category of business support  
527 services, as defined in subsection (b) of section 32-222, or  
528 manufacturing facilities, as defined in subsection (d) of section 32-9p,  
529 as amended by this act, may be eligible for a certificate if they are  
530 located in an enterprise zone.

531 Sec. 6. Section 32-75d of the general statutes is repealed and the  
532 following is substituted in lieu thereof (*Effective from passage*):

533 (a) There is established an airport development zone, which is  
 534 comprised of the following census blocks as assigned on October 1,  
 535 2011, in the towns of Windsor Locks, Suffield, East Granby and  
 536 Windsor:

T1	090034701001022,	090034701003000,	090034701003001,
T2	090034701003002,	090034701003003,	090034701003004,
T3	090034701003005,	090034701003017,	090034701003018,
T4	090034701003019,	090034701003020,	090034701003021,
T5	090034701003025,	090034701003026,	090034735022009,
T6	090034735022010,	090034735022011,	090034735022012,
T7	090034735022013,	090034735025004,	090034735027000,
T8	090034735029000,	090034735029001,	090034735029002,
T9	090034735029003,	090034735029004,	090034735029006,
T10	090034761009000,	090034761009010,	090034761009011,
T11	090034761009012,	090034761009013,	090034762001023,
T12	090034762001025,	090034762002009,	090034762002013,
T13	090034763003004,	090034763009000,	090034763009001,
T14	090034763009002,	090034763009003,	090034763009004,
T15	090034763009005,	090034763009006,	090034763009007,
T16	090034763009008,	090034763009009,	090034763009010,
T17	090034763009011,	090034763009012,	090034763009013,
T18	090034763009014,	090034763009015,	090034763009016,
T19	090034763009017,	090034763009018,	090034763009020,
T20	090034763009021,	090034763009022,	090034763009023,
T21	090034763009024,	090034763009025,	090034763009026,
T22	090034763009031,	090034763009033,	090034771014005,
T23	090034771014011,	090034771014012,	090034771014013,
T24	090034771014014,	090034771014017,	090034771014018,
T25	090034771014019,	090034771014020,	090034771023025,
T26	090034771023026,	090034771023027,	090034771023036,
T27	090034701003006,	090034701003022,	090034701003023,
T28	090034701005000,	090034761001039,	090034763009028.

537 (b) Notwithstanding subsection (a) of this section, the [Connecticut  
 538 Airport Authority] Commissioner of Economic and Community  
 539 Development may establish additional airport development zones  
 540 surrounding any of the general aviation airports, as defined in section  
 541 15-120aa, or any other airport within the duty, power and authority of  
 542 the [authority] Connecticut Airport Authority, as defined in section 15-  
 543 120cc, upon receipt from [the Commissioner of Economic and

544 Community Development] one or more interested municipalities of a  
545 proposal recommending the establishment of such a zone.

546 (1) The commissioner shall [submit] consider any such proposal [to  
547 the authority] if the commissioner determines that the economic  
548 development benefits of establishing a new airport development zone  
549 outweigh the anticipated costs to the state and the affected  
550 municipalities. Any such proposal shall comply with the state plan of  
551 conservation and development adopted pursuant to chapter 297.

552 (2) A proposal submitted [by] to the commissioner shall include, but  
553 not be limited to, an identification of:

554 (A) The geographical scope of such proposed zone, including  
555 designation of all census blocks that [the commissioner proposes  
556 incorporating] are proposed to be incorporated into such zone,  
557 provided (i) each zone shall be in accordance with the applicable  
558 general aviation airport or other airport's master plan, and (ii) no zone  
559 shall extend beyond a two-mile radius of the applicable general  
560 aviation airport or other airport without approval of the General  
561 Assembly;

562 (B) The economic development benefits anticipated from the  
563 establishment of such zone, including the nature of business and  
564 industry that will be developed and the anticipated number of jobs  
565 created; and

566 (C) The anticipated costs of establishing such zone.

567 (3) The [authority] commissioner may modify the geographic scope  
568 of the proposed zone to improve, within the [authority's]  
569 commissioner's discretion, the balance between the anticipated  
570 economic benefit and the cost to the state and affected municipalities.

571 (4) The [authority] commissioner may approve the establishment of  
572 a new airport development zone. [upon a majority vote of a quorum of  
573 the members. Within five days of such approval, the authority shall  
574 submit a report to the commissioner identifying all census blocks

575 comprising such approved zone. The zone shall be deemed established  
576 upon the approval of the authority.]

577 (5) An airport development zone established pursuant to this  
578 subsection shall not include the land on which any general aviation  
579 airport or other airport operates, including any state-owned or  
580 controlled land.

581 Sec. 7. Section 13b-39 of the general statutes is repealed and the  
582 following is substituted in lieu thereof (*Effective from passage*):

583 (a) The [commissioner] Connecticut Airport Authority shall have  
584 jurisdiction over aeronautics in the state with all the powers and duties  
585 prescribed in this title, in title 15, and as otherwise provided by law,  
586 except that the Commissioner of Transportation shall have jurisdiction  
587 over any takings of property connected with airports, as provided in  
588 sections 13b-42 to 13b-45, inclusive, as amended by this act.

589 (b) The [commissioner] Connecticut Airport Authority, acting  
590 through the executive director of the authority, shall have general  
591 responsibility for aeronautics in the state with all the powers and  
592 duties established under chapter 266, this chapter and as otherwise  
593 provided by law.

594 Sec. 8. Section 13b-39a of the general statutes is repealed and the  
595 following is substituted in lieu thereof (*Effective from passage*):

596 (a) The [Commissioner of Transportation] executive director of the  
597 Connecticut Airport Authority shall establish a program of registration  
598 for all aircraft in the state, in accordance with which the owner of any  
599 aircraft, as defined in subdivision (5) of section 15-34, as amended by  
600 this act, which is based or primarily used at any airport facility,  
601 heliport, air navigation facility, restricted landing area or seaplane base  
602 in a municipality within this state shall, not later than October 1, 1993,  
603 and annually thereafter, be required to register with the municipality  
604 in which such aircraft is based or primarily used, by filing an  
605 application form, or renewal thereof, and paying the appropriate

606 registration fee, as provided for in section 12-71, this section and  
607 section 13b-39b, as amended by this act. The owner of any aircraft  
608 which is based or primarily used at any such air navigation facility or  
609 restricted landing area in this state shall register such aircraft not later  
610 than July 1, 1994, and annually thereafter not later than the first of  
611 October. Any aircraft shall be deemed to be based or primarily used in  
612 a municipality when in the normal course of its use, it leaves from and  
613 returns to or remains at one or more points within the municipality  
614 more often or longer than at any other single location outside of the  
615 municipality.

616 (b) The [Commissioner of Transportation] executive director, subject  
617 to the provisions of [chapter 54, shall adopt such regulations] section 1-  
618 121, shall adopt such rules and procedures as deemed necessary by  
619 said [commissioner] executive director to implement the provisions of  
620 section 12-71, this section and sections 13b-39b to 13b-39g, inclusive, as  
621 amended by this act.

622 Sec. 9. Section 13b-39b of the general statutes is repealed and the  
623 following is substituted in lieu thereof (*Effective from passage*):

624 The [Department of Transportation] executive director shall prepare  
625 and distribute to each municipality in which aircraft are based or  
626 primarily used forms and decals for the registration of aircraft and the  
627 renewal of such registrations. The registration forms shall contain such  
628 information as the [Commissioner of Transportation] authority may  
629 prescribe, including, but not limited to, information concerning (1) the  
630 form and identity of ownership, including information as to whether  
631 such ownership is by an individual, partnership, corporation or other  
632 entity, (2) the type of aircraft, including the year of manufacture, the  
633 manufacturer, the model and the certified gross weight, (3) the Federal  
634 Aviation Certificate number and (4) the location at which such aircraft  
635 is based or primarily used in this state. Each municipality shall  
636 designate a municipal registration official who may be an official or  
637 employee of the municipality or of any airport facility, heliport or  
638 seaplane base located within the municipality, to perform the duties of

639 registration of aircraft as set forth in sections 13b-39a to 13b-39g,  
640 inclusive, as amended by this act, and shall furnish, in writing, the  
641 name, address and telephone number of each such official. The  
642 municipality shall immediately notify the [commissioner] executive  
643 director upon any changes relative to the municipal registration  
644 official.

645 Sec. 10. Section 13b-39c of the general statutes is repealed and the  
646 following is substituted in lieu thereof (*Effective from passage*):

647 Upon receipt of the signed and certified registration form required  
648 and the requisite fee, as provided for in section 13b-39d, as amended  
649 by this act, the municipal registration official shall assign a registration  
650 number and provide the owner with a registration decal and certificate  
651 of registration. Such registration decal shall be displayed on the right  
652 side of the aircraft tail below the horizontal stabilizer. The number  
653 shall be maintained in a legible condition and shall be clearly visible  
654 and entirely unobscured. The certificate shall state the name of the  
655 owner, [his] the owner's address, a description of the aircraft, the  
656 expiration date of the certificate and such other information as the  
657 [commissioner] executive director may prescribe. [by regulation.] Such  
658 certificate shall be carried aboard the aircraft and shall be available for  
659 inspection upon the aircraft for which it is issued whenever the owner  
660 or any person authorized by [him] the owner is aboard such aircraft.

661 Sec. 11. Section 13b-39d of the general statutes is repealed and the  
662 following is substituted in lieu thereof (*Effective from passage*):

663 The owner shall pay a fee to the municipal registration official for  
664 each aircraft so numbered or registered in accordance with the  
665 following schedule:

T29	Gross Weight (lbs.)	Fee
T30	Less than 3,000	\$ 90.00
T31	3,001 - 4,500	250.00
T32	4,501 - 8,000	700.00
T33	8,001 - 12,500	1,500.00

T34                      12,501 and over                      2,500.00

666      Aircraft manufactured before 1946 shall pay the lesser of one hundred  
667      dollars or the fee as required on the basis of gross weight as set forth in  
668      this section. The [commissioner] executive director may establish, by  
669      [regulations] procedures adopted in accordance with the provisions of  
670      [chapter 54] section 1-121, a uniform schedule for the expiration and  
671      renewal of registrations and may prorate the fees in this section  
672      accordingly. Any person or firm that acquires ownership of an aircraft  
673      shall obtain a new registration in the name of such owner within thirty  
674      days of the date of such acquisition, provided no additional  
675      registration fee shall be payable in cases where one or more new  
676      ownership interests are being added to the registration or in cases of  
677      legal change of name of the registrant. All registrations shall be  
678      renewed within thirty days of the date of expiration as stated in the  
679      certificate. If a valid certificate or number decal is lost, mutilated or  
680      destroyed, the aircraft owner shall notify the municipal registration  
681      official within fifteen days, and such owner shall be issued a duplicate  
682      certificate or number decal upon payment of a fee of five dollars.

683      Sec. 12. Section 13b-39g of the general statutes is repealed and the  
684      following is substituted in lieu thereof (*Effective from passage*):

685      Each municipality which issues and renews registrations for aircraft  
686      in accordance with sections 13b-39a to 13b-39g, inclusive, as amended  
687      by this act, may retain for its own use and purposes, as a grant in lieu  
688      of property taxes, all revenue received from the receipt of aircraft  
689      registration fees. Each such participating municipality shall furnish the  
690      [commissioner] executive director with such reports concerning the  
691      total amount of fees received pursuant to sections 12-71 and 13b-39a to  
692      13b-39g, inclusive, as amended by this act, the number of registrations  
693      issued, the names of registrants and the descriptions of aircraft  
694      registered.

695      Sec. 13. Section 13b-43 of the general statutes is repealed and the  
696      following is substituted in lieu thereof (*Effective from passage*):

697 Any municipality, or any two or more municipalities jointly, may  
698 establish, maintain and operate an airport at any location within the  
699 state approved by the [commissioner] executive director of the  
700 Connecticut Airport Authority and by the municipality or  
701 municipalities within which such airport is to be established. [, and]  
702 The Commissioner of Transportation may take any land or interest  
703 therein necessary for such establishment at such location upon paying  
704 just compensation to the owner of such land or interest therein. The  
705 approval of the municipality shall be by vote of a town or borough and  
706 by vote of the city council of a city. Any municipality, or any two or  
707 more municipalities jointly, may expand or improve an airport, and  
708 may take any land or interest therein necessary for such expansion or  
709 improvement when, in the opinion of the commissioner, public  
710 convenience or safety requires, and when the approval of the  
711 municipality or municipalities in which such land is located has been  
712 legally obtained, upon paying just compensation to the owner of such  
713 land or interest therein. In case such municipality or municipalities  
714 cannot agree with such owner upon the amount of such compensation,  
715 the amount shall be determined in the manner prescribed in section 48-  
716 12. An appeal from the amount so determined shall not act as a stay of  
717 the taking of such land, provided no facility or land or interest therein  
718 held by a public service company for service to the public shall be so  
719 taken or removed unless, at the expense of the party seeking such  
720 taking or removal, an adequate and equal substitute approved by the  
721 Public Utilities Regulatory Authority shall first be provided.

722 Sec. 14. Section 13b-44 of the general statutes is repealed and the  
723 following is substituted in lieu thereof (*Effective from passage*):

724 (a) The state may, [directly or indirectly] through the Connecticut  
725 Airport Authority, establish, maintain and operate, and may expand,  
726 an airport at any location within the state in the following manner. The  
727 [commissioner] executive director shall conduct and complete a study  
728 of the adequacy of existing airports, [which study may be based upon  
729 the study authorized under section 13b-16,] and shall determine the  
730 necessity for the establishment of additional airports or the expansion



731 of existing airports. The [commissioner] executive director shall,  
732 within one year of the completion of such study, formulate and adopt  
733 a plan of development which shall incorporate the findings of such  
734 study, showing the necessity for such establishment or expansion. The  
735 plan of development shall specify the lands or interests in such lands  
736 the acquisition of which the [commissioner] executive director deems  
737 necessary for such establishment or expansion and a copy of such plan  
738 of development shall be filed in the office of the town clerk of each  
739 municipality in which such establishment or expansion is proposed.

740 (b) The [commissioner] executive director shall cause a public  
741 hearing to be held at the expense of the [department] authority in each  
742 municipality in which such lands or interests in such lands are located.  
743 At such hearing, the [commissioner] executive director shall present  
744 and explain the plan of development, and any persons who are  
745 opposed to such plan may be heard and may state their reasons for  
746 such opposition. Such hearing shall be held not earlier than thirty days  
747 after such plan has been filed in the office of the town clerk of the  
748 municipality. Notice of the time and place of such hearing shall be  
749 published in a newspaper having a substantial circulation in such  
750 municipality at least twice, at intervals of not less than two days, the  
751 first not more than fifteen days or less than ten days and the second  
752 not less than two days before such hearing.

753 (c) Upon the completion of such hearing, the [commissioner]  
754 executive director shall consider all the evidence relevant to the  
755 proposed plan of development, and if the [commissioner] executive  
756 director determines that the airport establishment or expansion  
757 provided in the plan is necessary, shall make such changes or  
758 modifications in the plan as are in the public interest. The  
759 [commissioner] executive director shall file a copy of the revised plan,  
760 showing the changes or modifications made, in the office of the town  
761 clerk of the municipality and shall notify and send a copy of such  
762 revised plan to the chief executive officer or first selectman of such  
763 municipality. Such notice shall contain the request that the  
764 municipality approve the proposed establishment or expansion, which

765 approval shall be by vote of a town or borough, and by vote of the city  
766 council of a city.

767 (d) If the municipality fails or neglects to act upon a request for  
768 approval within sixty days after the receipt of such request by its chief  
769 executive officer or first selectman, the municipality shall be deemed to  
770 have approved of such establishment or expansion. If the municipality  
771 by vote disapproves of the establishment or expansion, the  
772 [commissioner] executive director may, within thirty days following  
773 such vote, appeal to the superior court for the judicial district in which  
774 the municipality is located and the appeal shall be accorded a  
775 privileged status. The court shall, after hearing, determine whether the  
776 [commissioner] executive director has proven the necessity for the  
777 establishment or expansion of an airport within the municipality and  
778 the burden of proving such necessity shall be upon the [commissioner]  
779 executive director. If the court, after hearing, determines that the  
780 [commissioner] executive director has not sustained such burden of  
781 proof, the court shall enter judgment for, and may award reasonable  
782 costs to, the municipality. If the court, after hearing, determines that  
783 the [commissioner] executive director has sustained such burden of  
784 proof, the court may set aside the action of the municipality  
785 disapproving the establishment or expansion and may enter such  
786 order upon such terms and conditions as it deems appropriate to  
787 safeguard the rights of the parties and the public.

788 (e) After a plan has been legally approved, or its disapproval has  
789 been set aside by the Superior Court, the state, acting through the  
790 Commissioner of Transportation, may take any lands or interests in  
791 such lands contained in the plan upon paying just compensation to the  
792 owner. In case the state cannot agree with such owner on the amount  
793 of such compensation, the amount shall be determined in the manner  
794 prescribed in section 48-12. An appeal from the amount so determined  
795 shall not act as a stay of the taking of such land, provided no facility or  
796 land or interest in such land held by a public service company for  
797 service to the public shall be so taken or removed unless, at the  
798 expense of the state, an adequate and equal substitute approved by the

799 Public Utilities Regulatory Authority shall first be provided.

800 Sec. 15. Section 13b-45 of the general statutes is repealed and the  
801 following is substituted in lieu thereof (*Effective from passage*):

802 Before exercising any of the powers conferred in sections 13b-43, as  
803 amended by this act, and 13b-44, as amended by this act, the  
804 [commissioner] executive director shall establish and publish in  
805 detailed form, available to the public, the standards the  
806 [commissioner] executive director has adopted and will apply in  
807 making a determination that public convenience and necessity require  
808 the taking by the Commissioner of Transportation of any parcel of land  
809 or interest in such land.

810 Sec. 16. Section 13b-46 of the general statutes is repealed and the  
811 following is substituted in lieu thereof (*Effective from passage*):

812 (a) The [commissioner] executive director may approve airports,  
813 heliports, restricted landing areas, and other air navigation facilities.  
814 Any municipality or person acquiring property for the purpose of  
815 constructing or establishing an airport, heliport or restricted landing  
816 area shall, prior to such acquisition, apply to the [commissioner]  
817 executive director for a certificate of approval of the site selected and  
818 the general purpose or purposes for which the property is to be  
819 acquired, to insure that the property and its use shall conform to  
820 minimum standards of safety and shall serve the public interest. Any  
821 proposed airport, heliport, restricted landing area or other air  
822 navigation facility at which more than thirty-six landings and takeoffs  
823 are expected to be made by aircraft in any year shall be approved by  
824 the [commissioner] executive director before it shall be licensed to be  
825 used or operated. The [commissioner] executive director shall make no  
826 charge for approval certificates of proposed property acquisition for  
827 airport, heliport or restricted landing area purposes.

828 (b) The [commissioner] executive director may license airports,  
829 heliports, restricted landing areas and other air navigation facilities  
830 and renew such licenses. When a certificate of approval of an airport,

831 heliport or restricted landing area has been issued by the  
832 [commissioner, he] executive director, he or she may grant a license for  
833 operation and use. On and after July 1, 1995, the [commissioner]  
834 executive director shall charge a fee of one hundred fifty dollars for  
835 each license or renewal thereof. Each such license shall be effective for  
836 a period of three years from the date of issuance. Each licensee shall  
837 certify, on a form provided by the [commissioner] executive director,  
838 that the licensed facility shall comply with all applicable federal, state  
839 and local laws and regulations during the license period.  
840 Municipalities shall be exempt from the payment of any license fee in  
841 connection with airports owned or operated by such municipalities.

842 (c) No municipality or officer or employee thereof and no person  
843 shall operate an airport, heliport, restricted landing area or other air  
844 navigation facility for which approval has not been granted, and a  
845 license has not been issued, by the [commissioner] executive director.  
846 The provisions of this section shall not apply to any airport, heliport,  
847 restricted landing area or other air navigation facility owned by the  
848 federal government within this state.

849 (d) Any heliport in operation prior to October 1, 1985, shall be  
850 deemed licensed for operation and use and the [commissioner]  
851 executive director shall issue an original license for any such heliport  
852 upon the written request of the person who controls and operates such  
853 heliport. Such heliports shall be subject to the provisions of this  
854 chapter concerning the renewal or revocation of licenses, inspection  
855 and review of air navigation facilities and any other provision of this  
856 chapter except those concerning the initial approval or licensing of  
857 such facilities. Such heliports shall be subject to any [regulation] rule or  
858 procedure adopted by the [Commissioner of Transportation] authority  
859 in accordance with the provisions of this chapter except those  
860 concerning the initial approval or licensing of any air navigation  
861 facility.

862 Sec. 17. Section 13b-47 of the general statutes is repealed and the  
863 following is substituted in lieu thereof (*Effective from passage*):

864 (a) In determining whether [he shall] to issue a certificate of  
865 approval or license for the use or operation of any proposed  
866 commercial use air navigation facility, the [commissioner] executive  
867 director of the Connecticut Airport Authority shall take into  
868 consideration (1) its proposed location, size and layout, (2) its  
869 relationship to any comprehensive plan for state-wide and nation-wide  
870 development, (3) the availability of areas suitable for safe future  
871 expansion, (4) the freedom of adjoining areas from obstructions based  
872 on a proper glide ratio, (5) the nature of the terrain and of the uses to  
873 which the proposed airport will be put, and (6) the possibilities for  
874 future development.

875 (b) In determining whether [he shall] to issue a certificate of  
876 approval or license for the use or operation of any proposed private  
877 use air navigation facility, the [commissioner] executive director shall  
878 take into consideration: (1) Its proposed location, size and layout; (2)  
879 the freedom of adjacent areas from obstructions based on a proper  
880 glide ratio; (3) the nature of the terrain and the uses to which the  
881 proposed air navigation facility will be put; (4) the type of equipment  
882 to be utilized and the flight experience of the operator; (5) the amount  
883 of noise to be produced at such facility; and (6) such other factors as  
884 [he] the executive director deems appropriate.

885 Sec. 18. Section 13b-48 of the general statutes is repealed and the  
886 following is substituted in lieu thereof (*Effective from passage*):

887 Upon receipt of any application for a certificate of approval of an  
888 airport, heliport or restricted landing area, or an original license to use  
889 or operate an airport, heliport, restricted landing area or other air  
890 navigation facility, the [commissioner] executive director shall send  
891 notice thereof by registered or certified mail to the chief executive  
892 officer or first selectman of the municipality or municipalities in which  
893 the proposed airport, heliport, restricted landing area or other air  
894 navigation facility is proposed to be located. If the applicant, or such  
895 municipality within fifteen days after receipt of such notice, requests a  
896 public hearing, the [commissioner] executive director shall set a time

897 and place for such hearing in the municipality in which the proposed  
898 airport, heliport, restricted landing area or other air navigation facility  
899 is proposed to be situated, at which hearing interested parties shall  
900 have an opportunity to be heard. The [commissioner] executive  
901 director may hold a public hearing in any case where no such request  
902 is made. Notice of any such hearing shall be published by the  
903 [commissioner] executive director in a newspaper of general  
904 circulation in such municipality at least twice, the first publication to  
905 be at least fifteen days prior to the date of the hearing. Upon the  
906 conclusion of such hearing, the [commissioner] executive director shall  
907 consider all the relevant evidence and shall issue an order granting or  
908 denying such application, written notice of which shall be sent by  
909 registered or certified mail to the applicant and to the chief executive  
910 officer or the first selectman of the municipality or municipalities in  
911 which the proposed airport, heliport, restricted landing area or other  
912 air navigation facility is to be located. Orders issued pursuant to this  
913 section shall comply with the requirements of section 15-66, as  
914 amended by this act, and shall be subject to appeal as provided in  
915 section 15-67, as amended by this act.

916 Sec. 19. Section 13b-49 of the general statutes is repealed and the  
917 following is substituted in lieu thereof (*Effective from passage*):

918 The [commissioner] executive director may revoke temporarily or  
919 permanently any certificate of approval or license upon a  
920 determination that an airport, heliport, restricted landing area or other  
921 navigation facility is not being maintained or used in accordance with  
922 the provisions of this chapter, or chapter 266, or any regulations  
923 adopted pursuant to said chapters.

924 Sec. 20. Section 13b-49a of the general statutes is repealed and the  
925 following is substituted in lieu thereof (*Effective from passage*):

926 (a) Not later than July thirty-first annually, the owner or operator of  
927 any airport, heliport, restricted landing area, seaplane base or other air  
928 navigation facility licensed under the provisions of section 13b-46, as  
929 amended by this act, shall submit to the [Commissioner of

930 Transportation] executive director the following information with  
931 respect to an aircraft which is based or primarily used at such facility  
932 as of July first of such year: (1) The name and address of the owner  
933 thereof; (2) the type of aircraft; and (3) the Federal Aviation Aircraft  
934 Registration number. [Said commissioner] The executive director shall  
935 forward such information to the municipality in which an aircraft is  
936 based.

937 (b) The [commissioner] executive director, after notice and  
938 opportunity for hearing, may suspend or revoke the license of any  
939 such facility in the event the owner or operator thereof knowingly or  
940 intentionally fails to comply with the provisions of subsection (a) of  
941 this section.

942 Sec. 21. Section 13b-50 of the general statutes is repealed and the  
943 following is substituted in lieu thereof (*Effective from passage*):

944 (a) The [commissioner] executive director is authorized to cooperate  
945 with the government of the United States or any agency or department  
946 thereof in the acquisition, construction, improvement, maintenance  
947 and operation of airports, heliports, landing fields and other  
948 aeronautical facilities in this state where federal financial aid is  
949 received and to comply with the provisions of the laws of the United  
950 States and any regulations made thereunder for the expenditure of  
951 federal moneys upon such airports, heliports and facilities. The  
952 [commissioner] executive director is authorized to accept, receive and  
953 receipt for federal or other moneys for and on behalf of this state or  
954 any political subdivision thereof for the acquisition, construction,  
955 improvement, maintenance and operation of facilities within this state.  
956 All moneys accepted for disbursement by the [commissioner]  
957 executive director pursuant to this subsection shall be deposited in the  
958 state treasury and disbursed in accordance with the provisions of the  
959 respective grants.

960 (b) Any municipality is authorized to accept, receive and receipt for  
961 federal moneys and other moneys, either public or private, for the  
962 acquisition, construction, enlargement, improvement, maintenance,

963 equipment or operation of airports and other air navigation facilities  
964 and sites therefor and to comply with the provisions of the laws of the  
965 United States and any rules and regulations made thereunder for the  
966 expenditure of federal moneys upon such airports and facilities. No  
967 municipality shall submit to the administrator of civil aeronautics of  
968 the United States any project application under the provisions of  
969 Section 9(a) of Public Law 377, 79th Congress, or any amendment  
970 thereof, unless the project and the project application have been  
971 approved by the [commissioner] executive director.

972 (c) Any municipality is authorized to designate by ordinance the  
973 [commissioner] executive director as its agent to accept, receive and  
974 receipt for federal moneys in its behalf for airport purposes and to  
975 contract for the acquisition, construction, enlargement, improvement,  
976 maintenance, equipment or operation of such airports or other air  
977 navigation facilities, and may enter into an agreement with the  
978 [commissioner] executive director prescribing the terms and  
979 conditions of such agency in accordance with federal laws, rules and  
980 regulations and applicable laws of this state. Such moneys as are paid  
981 by the United States government shall be paid to such municipality  
982 under such terms and conditions as may be imposed by the United  
983 States in making such grant.

984 (d) All contracts for the acquisition, construction, enlargement,  
985 improvement, maintenance, equipment or operation of airports or  
986 other air navigation facilities, made by the municipality itself or  
987 through the [commissioner] executive director, shall be made pursuant  
988 to the laws of this state governing the making of like contracts;  
989 provided, where such acquisition, construction, improvement,  
990 enlargement, maintenance, equipment or operation is financed wholly  
991 or partly with federal moneys, the municipality, or the [commissioner]  
992 executive director as its agent, may let contracts in the manner  
993 prescribed by the federal authorities, acting under the laws of the  
994 United States, and any rules or regulations made thereunder,  
995 notwithstanding any other state law to the contrary.



1096 (e) The [commissioner] executive director may render financial  
1097 assistance by grant of funds to any municipality or municipalities  
1098 acting jointly in the planning, acquisition, construction or  
1099 improvement of an airport owned or controlled, or to be owned or  
1100 controlled, by such municipality or municipalities, out of  
1101 appropriations made by the General Assembly for such purposes. Such  
1102 financial assistance may be furnished in connection with federal or  
1103 other financial aid for the same purposes for not more than seventy-  
1104 five per cent of the cost exclusive of federal aid. The [commissioner  
1105 may, by regulation, establish procedure] executive director may  
1106 establish procedures to be followed in granting funds under this  
1107 subsection and may prescribe forms to be used in connection  
1108 therewith.

1109 (f) The [commissioner] executive director may, whenever [he] the  
1110 executive director considers such assistance desirable or feasible, make  
1111 available engineering and other technical services of the [department]  
1112 executive director, with or without charge, to any municipality or  
1113 owner of a commercial airport requesting such services in connection  
1114 with the planning, acquisition, construction, improvement,  
1115 maintenance or operation of airports or aeronautical facilities.

1116 (g) Any town, city or borough may lease any airport or contract for  
1117 any airport facilities or privileges from any person, firm or  
1118 corporation, municipal or private, operating a municipal or private  
1119 airport in any location which has been approved by the  
1120 [commissioner] executive director.

1121 Sec. 22. Section 13b-50a of the general statutes is repealed and the  
1122 following is substituted in lieu thereof (*Effective from passage*):

1123 The following initiatives shall be established to preserve  
1124 Connecticut's licensed privately owned, publicly used airports which  
1125 have a paved runway and a minimum of five thousand operations per  
1126 year: (1) The state shall have the right of first refusal to purchase, via  
1127 fair market value and state property acquisition procedures, an airport,  
1128 if that airport is threatened with sale or closure, for the express

1029 purpose of preserving the airport; (2) the [Commissioner of  
1030 Transportation] executive director may acquire the development  
1031 rights, based on fair market value for such rights, of such airports,  
1032 provided the airport remains a public airport; (3) the state shall fund  
1033 capital improvements to private airports, in which case the state shall  
1034 participate in ninety per cent of the eligible costs and the balance by  
1035 the sponsor, with budget and priorities to be determined by the  
1036 [Department of Transportation] executive director, and engineering in  
1037 accordance with Federal Aviation Administration Advisory Circulars;  
1038 and (4) the establishment of a new airport zoning category for the  
1039 airport's imaginary surfaces as defined by Federal Aviation  
1040 Regulations and a program to mitigate noise in airport neighborhoods  
1041 in which the noise exceeds applicable Federal Aviation Administration  
1042 standards. Such program may be combined with existing energy  
1043 conservation programs. Funding for such program shall be from  
1044 available federal resources.

1045 Sec. 23. Section 13b-50b of the general statutes is repealed and the  
1046 following is substituted in lieu thereof (*Effective from passage*):

1047 The [Department of Transportation] Connecticut Airport Authority,  
1048 in consultation with the Labor Department and the Department of  
1049 Veterans' Affairs, shall, in administering the program established  
1050 pursuant to subdivision (4) of section 13b-50a, as amended by this act,  
1051 set aside not less than thirty per cent of the projects or contracts for  
1052 such program for veterans with service in time of war, as defined in  
1053 subsection (a) of section 27-103, except that for the purposes of this  
1054 section, "service in time of war" shall not include time spent in  
1055 training. To be eligible for such set aside, the contracting entity shall be  
1056 a veteran certified in weatherization and insulation techniques through  
1057 a training program funded by the American Recovery and  
1058 Reinvestment Act of 2009, or a company that employs such certified  
1059 veterans.

1060 Sec. 24. Section 13b-50p of the general statutes is repealed and the  
1061 following is substituted in lieu thereof (*Effective from passage*):

1062 (a) The [Commissioner of Transportation] executive director of the  
1063 Connecticut Airport Authority, upon receipt of a written complaint, in  
1064 such form and containing such information as the [commissioner]  
1065 executive director may require, from any person alleging that there  
1066 have been repeated landings or takeoffs by aircraft from any real  
1067 property not licensed as an airport, heliport, restricted landing area or  
1068 other air navigation facility under the provisions of section 13b-46, as  
1069 amended by this act, may require the owner of such property to keep  
1070 records of all landings and takeoffs made by aircraft from such  
1071 property for a period of one year. Upon receipt of such records the  
1072 [commissioner] executive director shall, within ten days, forward them  
1073 to the chief elected official of the municipality in which such area or  
1074 facility is located. The provisions of this subsection shall not apply to  
1075 any landing or takeoff made by military aircraft or an emergency  
1076 medical service organization, any landing made for emergency  
1077 purposes or to any landing or takeoff made at an annual special event  
1078 or for agricultural purposes.

1079 (b) The [Commissioner of Transportation shall adopt regulations in  
1080 accordance with chapter 54] executive director shall adopt written  
1081 procedures in accordance with the provisions of section 1-121 to  
1082 implement the provisions of subsection (a) of this section. The  
1083 [regulations] procedures shall include, but not be limited to, the type  
1084 of information the property owner may be required to record, the  
1085 procedures for transmitting such information to the [commissioner]  
1086 executive director and standards for determining what constitutes an  
1087 annual special event and agricultural purposes.

1088 (c) Any person who violates any provision of this section or any  
1089 regulation adopted pursuant to this section shall be fined not more  
1090 than five hundred dollars.

1091 (d) In addition to the fine imposed pursuant to subsection (c) of this  
1092 section, a municipality may, by ordinance, establish a fine of not more  
1093 than two hundred fifty dollars for violating any provision of this  
1094 section.

1095 Sec. 25. Section 15-34 of the general statutes is repealed and the  
1096 following is substituted in lieu thereof (*Effective from passage*):

1097 For the purpose of the laws of this state relating to aeronautics, the  
1098 following words and phrases shall have the meanings herein given,  
1099 unless the context otherwise requires:

1100 (1) "Aeronautics" means transportation by aircraft; the operation,  
1101 repair or maintenance of aircraft or aircraft engines except by a  
1102 manufacturer, including the repair, packing and maintenance of  
1103 parachutes; the design, establishment, construction, extension,  
1104 operation, improvement, repair or maintenance of airports, heliports,  
1105 restricted landing areas or other air navigation facilities, and air  
1106 instruction.

1107 (2) "Air instruction" means the imparting of aeronautical  
1108 information by any aeronautics instructor or in or by any air school or  
1109 flying club.

1110 (3) "Air navigation" means the operation or navigation of aircraft in  
1111 the air space over this state or upon any airport or restricted landing  
1112 area within this state.

1113 (4) "Air navigation facility" means any facility, other than one  
1114 owned or controlled by the federal government, used in, available for  
1115 use in or designed for use in, aid of air navigation, including airports,  
1116 heliports, restricted landing areas, and any structures, mechanisms,  
1117 lights, beacons, marks, communicating systems or other  
1118 instrumentalities or devices used or useful as an aid, or constituting an  
1119 advantage or convenience, to the safe taking-off, navigation and  
1120 landing of aircraft, or the safe and efficient operation or maintenance  
1121 of an airport, heliport or restricted landing area, and any combination  
1122 of such facilities.

1123 (5) "Aircraft" means any contrivance used or designed for  
1124 navigation of or flight in air, including (A) airplanes, meaning power-  
1125 driven fixed-wing aircraft, heavier than air, supported by the dynamic

1126 reaction of the air against their wings, (B) gliders, meaning heavier  
1127 than air aircraft, the free flight of which does not depend principally  
1128 upon a power-generating unit, and (C) rotorcraft, meaning power-  
1129 driven aircraft, heavier than air, supported during flight by one or  
1130 more rotors.

1131 (6) "Airman" means any individual who engages, as the person in  
1132 command, or as pilot, mechanic or member of the crew, in the  
1133 navigation of aircraft while under way and (excepting any individual  
1134 employed outside the United States, any individual employed by a  
1135 manufacturer of aircraft, aircraft engines, propellers or appliances to  
1136 perform duties as inspector or mechanic in connection therewith, and  
1137 any individual performing inspection or mechanical duties in  
1138 connection with aircraft owned or operated by him) any individual  
1139 who is directly in charge of the inspection, maintenance, overhauling  
1140 or repair of aircraft engines, propellers or appliances; and any  
1141 individual who serves in the capacity of aircraft dispatcher or air-  
1142 traffic control-tower operator.

1143 (7) "Airport" means any area of land or water, except a restricted  
1144 landing area, which is designed for the landing and takeoff of aircraft,  
1145 whether or not facilities are provided for the shelter, servicing or repair  
1146 of aircraft, or for receiving or discharging passengers or cargo, and all  
1147 appurtenant areas used or suitable for airport buildings or other  
1148 airport facilities, and all appurtenant rights-of-way.

1149 (8) "Airport hazard" means any structure, object of natural growth  
1150 or use of land which obstructs the air space required for the flight of  
1151 aircraft in landing or taking off at any airport, heliport or restricted  
1152 landing area or is otherwise hazardous to such landing or taking-off.

1153 (9) "Airport protection privileges" means easements through or  
1154 other interests in air space over land or water, interests in airport  
1155 hazards outside the boundaries of airports, heliports or restricted  
1156 landing areas and other protection privileges the acquisition or control  
1157 of which is necessary to insure safe approaches to the landing areas of  
1158 airports, heliports and restricted landing areas and the safe and

1159 efficient operation thereof.

1160 (10) "Careless, negligent or reckless operation" means the operation  
1161 or piloting of any aircraft carelessly, negligently, recklessly or in such  
1162 manner as to endanger the property, life or limb of any person, due  
1163 regard being had to the proximity of other aircraft, the prevailing  
1164 weather conditions and the territory being flown over.

1165 (11) "Civil aircraft" means any aircraft other than a public aircraft.

1166 (12) Repealed by 1972, P.A. 134, S. 6.

1167 (13) ["Department" means the Department of Transportation of this  
1168 state.] "Connecticut Airport Authority" or "authority" means the  
1169 Connecticut Airport Authority established pursuant to chapter 267b.

1170 (14) ["Commissioner" means the Commissioner of Transportation of  
1171 this state.] "Executive director" means the executive director of the  
1172 Connecticut Airport Authority or his or her designee.

1173 (15) "Flying club" means any person other than an individual which,  
1174 neither for profit nor reward, owns, leases or uses one or more aircraft  
1175 for the purpose of instruction or pleasure or both.

1176 (16) "Manufacturer" means a person, partnership, association,  
1177 limited liability company or corporation which, during the calendar  
1178 year preceding application for registration, manufactured or  
1179 assembled one or more aircraft for sale, or which proves to the  
1180 satisfaction of the [commissioner] executive director that it intends in  
1181 good faith to manufacture or assemble one or more aircraft for sale  
1182 during the year immediately ensuing.

1183 (17) "Municipality" means any city, town or borough or other  
1184 subdivision of this state.

1185 (18) "Navigable air space" means air space above the minimum  
1186 altitudes of flight prescribed by the laws of this state or by [regulations  
1187 of the commissioner] procedures of the authority consistent therewith.

1188 (19) "Nonresident" means any person whose legal residence is  
1189 outside this state.

1190 (20) "Operation of aircraft" means the use of aircraft for the purpose  
1191 of air navigation and includes the navigation or piloting of aircraft.  
1192 Any person who causes or authorizes the operation of aircraft,  
1193 whether with or without the right of legal control thereof, shall be  
1194 deemed to be engaged in the operation of aircraft within the meaning  
1195 of the statutes of this state.

1196 (21) "Person" means any individual, firm, partnership, corporation,  
1197 limited liability company, company, association, joint stock association  
1198 or body politic and includes any trustee, receiver, assignee or other  
1199 similar representative thereof.

1200 (22) "Public aircraft" means an aircraft used exclusively in the  
1201 service of any government or of any political subdivision thereof,  
1202 including the government of any state, territory or possession of the  
1203 United States, or the District of Columbia, but does not include any  
1204 government-owned aircraft engaged in carrying persons or property  
1205 for commercial purposes.

1206 (23) "Restricted landing area" means any area of land or water or  
1207 both, which is used or is made available for the landing and takeoff of  
1208 aircraft, the use of which shall, except in case of emergency, be only as  
1209 provided from time to time by the [commissioner] executive authority.

1210 (24) Repealed by P.A. 85-130.

1211 (25) Repealed by P.A. 77-614, S. 609, 610.

1212 (26) Repealed by P.A. 77-614, S. 609, 610.

1213 (27) "Heliport" means an area of defined dimensions, either at  
1214 ground level or elevated on a structure, designated for the landing and  
1215 [take off] takeoff of helicopters, which may be restricted solely for that  
1216 purpose.

1217 (28) "Ultra light aircraft" means (A) any aircraft which meets the  
1218 criteria established by the Federal Aviation Administration, federal Air  
1219 Regulation Part 103, or (B) any vehicle which: (i) Is used or intended to  
1220 be used for manned operation by a single occupant in the air; (ii) is  
1221 used or intended to be used for recreation or sport purposes only; (iii)  
1222 has not been issued an airworthiness certificate by the government of  
1223 the United States or any foreign government; and (iv) if unpowered,  
1224 weighs less than one hundred fifty-five pounds or, if powered, weighs  
1225 less than two hundred fifty-four pounds, empty weight, has a fuel  
1226 capacity of no more than five U.S. gallons, is not capable of more than  
1227 fifty-five knots calibrated air speed at full power in level flight and has  
1228 a power-off stall speed which does not exceed twenty-four knots  
1229 calibrated air speed.

1230 Sec. 26. Section 15-39 of the general statutes is repealed and the  
1231 following is substituted in lieu thereof (*Effective from passage*):

1232 The [commissioner] executive director of the Connecticut Airport  
1233 Authority shall issue to any salaried aeronautics inspector [of the  
1234 department,] credentials which shall be carried upon the person of  
1235 such inspector while in the discharge of official duties.

1236 Sec. 27. Section 15-41 of the general statutes is repealed and the  
1237 following is substituted in lieu thereof (*Effective from passage*):

1238 The [commissioner] executive director may perform such acts, issue  
1239 and amend such orders, and make and amend such reasonable general  
1240 or special regulations and procedure and establish such minimum  
1241 standards, consistent with the provisions of this chapter, as [he] the  
1242 executive director deems necessary or appropriate, and which are  
1243 commensurate with and for the purpose of protecting and insuring the  
1244 general public interest and safety, the safety of persons receiving  
1245 instruction concerning, or operating, using or traveling in, aircraft, and  
1246 of persons and property on land or water, and to develop and promote  
1247 aeronautics in this state. No regulation of the [commissioner] executive  
1248 director shall apply to airports or other air navigation facilities owned  
1249 by the federal government within this state.



1250 Sec. 28. Section 15-43 of the general statutes is repealed and the  
1251 following is substituted in lieu thereof (*Effective from passage*):

1252 The [commissioner] executive director may participate as party  
1253 plaintiff or defendant, or as intervenor on behalf of the state or any  
1254 municipality or citizen thereof, in any controversy having to do with  
1255 any claimed encroachment by the federal government or any foreign  
1256 state upon any state or individual rights pertaining to aeronautics.

1257 Sec. 29. Section 15-44 of the general statutes is repealed and the  
1258 following is substituted in lieu thereof (*Effective from passage*):

1259 The [commissioner and aeronautics inspectors of the department,]  
1260 executive director, and aeronautics inspectors of the authority, and  
1261 each state, county and municipal officer charged with the enforcement  
1262 of state and municipal laws shall enforce and assist in the enforcement  
1263 of this chapter and of all regulations made pursuant thereto, and of all  
1264 other laws of this state relating to aeronautics.

1265 Sec. 30. Section 15-45 of the general statutes is repealed and the  
1266 following is substituted in lieu thereof (*Effective from passage*):

1267 The [commissioner] executive director may hold investigations,  
1268 inquiries and hearings concerning matters covered by the provisions of  
1269 this chapter, aircraft accidents or orders and regulations of the  
1270 [commissioner] executive director.

1271 Sec. 31. Section 15-54 of the general statutes is repealed and the  
1272 following is substituted in lieu thereof (*Effective from passage*):

1273 The [commissioner] executive director is authorized to revoke or  
1274 suspend temporarily or permanently the right to operate aircraft, when  
1275 [he] the executive director determines that any aircraft is not  
1276 airworthy, or that any airman is not qualified, has wilfully violated the  
1277 provisions of this chapter or the regulations prescribed pursuant  
1278 thereto or any other statute of this state relating to aeronautics, or any  
1279 Act of Congress relating to aeronautics, or any rule or regulation  
1280 promulgated pursuant thereto, or the statutes or rules or regulations of

1281 another state relating to aeronautics, is addicted to the use of narcotics  
1282 or any other habit-forming drug or to the excessive use of intoxicating  
1283 liquor, has made any false statement in any application for registration  
1284 of a federal license certificate or permit or has been guilty of other  
1285 conduct, acts or practices dangerous to the public safety and the safety  
1286 of those engaged in aeronautics.

1287 Sec. 32. Section 15-60 of the general statutes is repealed and the  
1288 following is substituted in lieu thereof (*Effective from passage*):

1289 The federal license, certificate or permit, and the evidence of  
1290 registration in another state, if any, required for an airman shall be  
1291 kept in the personal possession of the airman when he or she is  
1292 operating within this state and shall be presented for inspection upon  
1293 the demand of any passenger, any peace officer of this state, the  
1294 [commissioner] executive director, any employee of the [department]  
1295 authority or any manager or person in charge of any airport in this  
1296 state upon which he or she lands. The federal aircraft license,  
1297 certificate or permit, and the evidence of registration in another state, if  
1298 any, required for aircraft shall be carried in every aircraft operating in  
1299 this state at all times and shall be conspicuously posted therein where  
1300 it may readily be seen by passengers or inspectors and shall be  
1301 presented for inspection upon the demand of any passenger, any peace  
1302 officer of this state, any official or employee of the [department]  
1303 authority or any manager or person in charge of any airport in this  
1304 state upon which it lands.

1305 Sec. 33. Section 15-66 of the general statutes is repealed and the  
1306 following is substituted in lieu thereof (*Effective from passage*):

1307 In any case in which the [commissioner] executive director of the  
1308 Connecticut Airport Authority refuses to issue a certificate of approval  
1309 of, or license or renewal of license for, an airport, restricted landing  
1310 area, heliport or other air navigation facility, or in any case in which  
1311 [he] the executive director issues any order requiring certain things to  
1312 be done or revoking any license, [he] the executive director shall set  
1313 forth [his] the reasons therefor and shall state the requirements to be

1314 met before such approval shall be given, license granted or order  
1315 modified or changed. Any order made by the [commissioner]  
1316 executive director pursuant to the provisions of this chapter shall be  
1317 served upon the interested persons by registered or certified mail or in  
1318 person. To carry out the provisions of this chapter, the [commissioner]  
1319 executive director and any official or employee of the [department]  
1320 authority and any state or municipal officer charged with the duty of  
1321 enforcing this chapter may inspect and examine at reasonable hours  
1322 any premises and the buildings and other structures thereon where  
1323 airports, restricted landing areas, heliports, air schools, flying clubs or  
1324 other air navigation facilities or aeronautical activities are operated or  
1325 carried on. No provision of this section shall prohibit the  
1326 [commissioner] executive director from suspending or revoking the  
1327 right of any person to pilot, or the right to any operation of any aircraft  
1328 within this state, for any cause that [he deems] is deemed sufficient,  
1329 with or without a hearing. No appeal taken from the action of the  
1330 [commissioner] executive director shall act as a stay of suspension or  
1331 revocation except with [his] the executive director's consent and under  
1332 such conditions as [he] the executive director may prescribe. No  
1333 service of process shall be necessary in connection with any of the  
1334 prescribed activities of the [commissioner] executive director. The term  
1335 of any suspension or revocation shall commence upon notice thereof  
1336 by the [commissioner] executive director.

1337 Sec. 34. Section 15-67 of the general statutes is repealed and the  
1338 following is substituted in lieu thereof (*Effective from passage*):

1339 An appeal may be taken from any decision of the [commissioner]  
1340 executive director rendered under the provisions of this chapter. The  
1341 procedure in such appeal shall be the same as that provided in section  
1342 14-134 concerning appeals from decisions by the Commissioner of  
1343 Motor Vehicles. No appeal taken from the order of a court in a criminal  
1344 case, involving the operation of an aircraft without permission of the  
1345 owner, the piloting of an aircraft while under the influence of  
1346 intoxicating liquor or drugs, reckless flying or evading responsibility  
1347 for accidents or involving fatal accidents shall act as a stay to any

1348 action or order of the [commissioner] executive director.

1349 Sec. 35. Section 15-71a of the general statutes is repealed and the  
1350 following is substituted in lieu thereof (*Effective from passage*):

1351 Any pilot, whether resident or nonresident, of a civil aircraft  
1352 involved in an accident resulting in personal injury or substantial  
1353 damage to the aircraft shall immediately notify the [commissioner]  
1354 executive director or the state police. If the pilot or pilots are  
1355 incapacitated, any person who caused or authorized the operation of  
1356 such aircraft at the time of the accident shall be responsible for giving  
1357 such notification. A written report shall be filed with the  
1358 [commissioner] executive director within fourteen calendar days on a  
1359 form prescribed by the [commissioner] executive director. If requested  
1360 by the [commissioner] executive director, a written report may also be  
1361 required for an aircraft accident when the damage is less than  
1362 substantial. The [commissioner] executive director may make an  
1363 investigation of such accidents as he or she deems advisable or in lieu  
1364 of a detailed investigation may accept a copy of the final report by a  
1365 federal investigation agency.

1366 Sec. 36. Section 15-73 of the general statutes is repealed and the  
1367 following is substituted in lieu thereof (*Effective from passage*):

1368 Where necessary in order to provide unobstructed air space for the  
1369 landing and taking-off of aircraft, in case of airports, heliports and  
1370 restricted landing areas acquired or operated by the [state, the  
1371 commissioner] authority, the executive director or, if a taking is  
1372 required, the Commissioner of Transportation, and, in case of  
1373 municipal airports, the municipality, is granted authority to acquire, in  
1374 the same manner as is provided for the acquisition of property for  
1375 airport purposes, easements through or other interests in air space  
1376 over land or water, interests in airport hazards outside the boundaries  
1377 of the airports, heliports or restricted landing areas, and such other  
1378 airport protection privileges as are necessary to insure safe approaches  
1379 to the landing areas of such airports, heliports and restricted landing  
1380 areas and the safe and efficient operation thereof. [He] The executive

1381 director or, if a taking is required, said commissioner, is empowered to  
1382 acquire in the same manner the right of easement for a term of years or  
1383 perpetually to place or maintain suitable marks for the daytime  
1384 marking and suitable lights for the nighttime marking of airport  
1385 hazards for the purpose of maintaining and repairing such lights and  
1386 marks. No person shall build, rebuild or create or cause to be built,  
1387 rebuilt or created any object, or plant, cause to be planted or permit to  
1388 grow higher any tree or trees or other vegetation, which encroach  
1389 upon any airport protection privileges acquired pursuant to the  
1390 provisions of this section. Any such encroachment is declared to be a  
1391 public nuisance and may be abated in the manner prescribed by law  
1392 for the abatement of public nuisances, or the municipality in charge of  
1393 the airport, heliport or restricted landing area for which airport  
1394 protection privileges have been acquired as provided in this section  
1395 may go upon the land of others and remove any such encroachment  
1396 without being liable for damages in so doing. Before exercising any of  
1397 the powers conferred herein, the [commissioner] executive director  
1398 shall establish and publish in detailed form, available to the public, the  
1399 standards which [he] the executive director has adopted and will  
1400 apply in making [his] a determination that public convenience and  
1401 necessity require the taking of any parcel of land or interest therein.

1402 Sec. 37. Section 15-74 of the general statutes is repealed and the  
1403 following is substituted in lieu thereof (*Effective from passage*):

1404 (a) The [commissioner] executive director shall notify the owner or  
1405 person responsible for the existence of any obstacle so located as to  
1406 constitute a hazard to aerial navigation or to the efficient or safe use of  
1407 any airport, requiring such owner or other person to remove such  
1408 obstacle within such reasonable time as is fixed by said [commissioner]  
1409 executive director. The owner or owners of such airport shall pay to  
1410 the owner of such obstacle just compensation for such removal.

1411 (b) In the case of an application for an approval or a license from the  
1412 [commissioner] executive director for a commercial airport, if there is  
1413 any obstacle at or near the landing area which would violate the

1414 minimum physical standards for commercial airports adopted by the  
1415 [commissioner] executive director under section 15-41, as amended by  
1416 this act, and the removal of such obstacle is a prerequisite for the  
1417 approval or license, the [commissioner] executive director shall notify  
1418 the owner or person responsible for the existence of the obstacle,  
1419 requiring [him] such owner or person to remove it within such time as  
1420 the [commissioner] executive director determines. The applicant for  
1421 the approval or license shall pay the owner of the obstacle just  
1422 compensation for its removal.

1423 (c) Any person aggrieved by the action of said [commissioner]  
1424 executive director in relation to the removal of an obstacle under  
1425 subsection (a) or (b) of this section may appeal therefrom to the  
1426 superior court for the judicial district within which such obstacle is  
1427 located or to any judge thereof in vacation; but, if the ground of appeal  
1428 is a disagreement as to the amount of such compensation, the removal  
1429 of such obstacle shall not be delayed pending the determination of  
1430 such amount.

1431 Sec. 38. Section 15-74a of the general statutes is repealed and the  
1432 following is substituted in lieu thereof (*Effective from passage*):

1433 Terms used in this section and sections 15-74b, as amended by this  
1434 act, and 15-74c, as amended by this act, shall be construed as follows,  
1435 unless another meaning is expressed or is clearly apparent from the  
1436 language or the context: "public service company" means "public  
1437 service company" as defined by section 16-1; "public airport" means  
1438 any state or municipality owned airport, heliport, restricted landing  
1439 area or other air navigational facility or any facility licensed by the  
1440 [Commissioner of Transportation] executive director of the  
1441 Connecticut Airport Authority under section 13b-46, as amended by  
1442 this act, except any privately owned airport, heliport, restricted  
1443 landing area or air navigational facility unless the same has been on  
1444 file with the Federal Aviation Administration for a period of at least  
1445 two years and designated by it as a facility open to the public; "clear  
1446 zone" means an area extending for up to one-half mile from the end of

1447 a runway on a public airport and designated by the [Commissioner of  
1448 Transportation] executive director as a clear zone in accordance with  
1449 regulations adopted by [him] the executive director.

1450 Sec. 39. Section 15-74b of the general statutes is repealed and the  
1451 following is substituted in lieu thereof (*Effective from passage*):

1452 (a) No public service company shall construct or maintain any  
1453 overhead line or facility within the limits of a clear zone.

1454 (b) (1) Immediately upon July 6, 1971, the [Commissioner of  
1455 Transportation] executive director shall establish clear zones, in  
1456 accordance with regulations adopted by [him] the executive director,  
1457 for all public airport runways, and shall establish a list of priorities for  
1458 the abatement or correction of encroachments thereon by public  
1459 service companies. (2) Subject to the availability of funds, [said  
1460 commissioner] the executive director shall from time to time order the  
1461 relocation, removal or such other appropriate corrective action as [he]  
1462 the executive director deems necessary to abate or correct such  
1463 encroachments on clear zones.

1464 (c) Where overhead lines already exist within the limits of an  
1465 established clear zone the [Commissioner of Transportation] executive  
1466 director shall reimburse the owner public service company for the cost  
1467 of relocation, removal or other corrective measures approved by [him]  
1468 the executive director. Funds required for the implementation of this  
1469 section shall be appropriated from existing and future appropriations  
1470 for state aid to airports in accordance with [regulations adopted by the  
1471 Commissioner of Transportation procedures adopted by the authority  
1472 pursuant to section 1-121].

1473 Sec. 40. Section 15-74c of the general statutes is repealed and the  
1474 following is substituted in lieu thereof (*Effective from passage*):

1475 No public service company shall erect, recable or reconstruct any  
1476 overhead line or facility within one-half mile of any airport runway  
1477 without written permission of the [Commissioner of Transportation]

1478 executive director.

1479       Sec. 41. Section 15-75 of the general statutes is repealed and the  
1480 following is substituted in lieu thereof (*Effective from passage*):

1481       The [commissioner] executive director may determine the charges  
1482 or rental for the use of any properties and the charges for any service  
1483 or accommodations under [his] the authority's control and the terms  
1484 and conditions under which such properties may be used; provided  
1485 the public shall not be deprived of its rightful, equal and uniform use  
1486 of such property. The state shall have and the [commissioner]  
1487 executive director may enforce liens as provided by law for repairs to  
1488 or improvement or storage or care of any personal property.

1489       Sec. 42. Section 15-76 of the general statutes is repealed and the  
1490 following is substituted in lieu thereof (*Effective from passage*):

1491       (a) The [commissioner] executive director, any employee of the  
1492 [department] authority, any officer attached to an organized police  
1493 department, any state police officer or any constable, within his or her  
1494 precinct, upon discovery of any aircraft apparently abandoned,  
1495 whether situated within or without any airport or landing field in this  
1496 state, shall take such aircraft into custody and may cause the same to  
1497 be taken to and stored in a suitable place. All charges necessarily  
1498 incurred by such person in the performance of such duty shall be a lien  
1499 upon such aircraft. The owner or keeper of any hangar or other place  
1500 where such aircraft is stored shall have a lien upon the same for  
1501 storage charges. If such aircraft has been so stored for a period of  
1502 ninety days, such owner or keeper may sell the same at public auction  
1503 for cash, at such owner's or keeper's place of business, and apply the  
1504 avails of such sale toward the payment of such owner's or keeper's  
1505 charges and the payment of any debt or obligation incurred by the  
1506 person who placed the same in storage, provided such sale shall be  
1507 advertised three times in a newspaper published or having a  
1508 circulation in the town where such hangar or other place is located,  
1509 such advertisement to commence at least five days before such sale;  
1510 and, if the last place of abode of the owner of such aircraft is known to



1511 or may be ascertained by such hangar owner or keeper by the exercise  
1512 of reasonable diligence, notice of the time and place of sale shall be  
1513 given such owner by mailing such notice to the owner in a registered  
1514 or certified letter, postage paid, at such last usual place of abode, at  
1515 least five days before the time of sale. The proceeds of such sale, after  
1516 deducting the amount due such hangar owner or keeper and all  
1517 expenses connected with such sale, including the expenses of the  
1518 officer who placed such aircraft in storage, shall be paid to the owner  
1519 of such aircraft or the owner's legal representatives, if claimed by such  
1520 owner or representatives, at any time within one year from the date of  
1521 such sale. If such balance is not claimed within said period, it shall  
1522 escheat to the state.

1523 (b) If the owner of such aircraft placed in storage in accordance with  
1524 the provisions of this section fails to claim such aircraft within sixty  
1525 days, the owner of such hangar or other place of storage shall, within  
1526 thirty days thereafter, send a written notice to the [commissioner]  
1527 executive director, stating the make, type, engine number and  
1528 identification number of such aircraft and the date such aircraft was  
1529 left with [him] such owner for storage and by whom, which notice  
1530 shall be placed on file by the [commissioner] executive director and  
1531 shall be subject to public inspection. Any sale under the provisions of  
1532 this section shall be void, unless the notice required by this section has  
1533 been given to [said commissioner] the executive director.

1534 Sec. 43. Section 15-87 of the general statutes is repealed and the  
1535 following is substituted in lieu thereof (*Effective from passage*):

1536 Any nonresident of this state who is the operator or owner of any  
1537 aircraft and who accepts the privileges extended by the laws of this  
1538 state to nonresident operators and owners of aircraft of using its  
1539 aviation facilities, or of having the same operated over, or who  
1540 operates an airplane above or upon, the territorial limits of this state,  
1541 shall, by such operation, be deemed to have appointed the  
1542 [commissioner, his] executive director of the Connecticut Airport  
1543 Authority, such operator or owner's agent and attorney for the service

1544 of process in any civil suit or proceeding instituted in the courts of this  
1545 state against such operator or owner arising out of or by reason of any  
1546 accident or collision, occurring within or above the state, in which such  
1547 aircraft is involved. Such process shall be served by the officer to  
1548 whom the same is directed upon the [commissioner] executive director  
1549 by leaving at the office of [said commissioner] the executive director, at  
1550 least twelve days before the return day of such process, a true and  
1551 attested copy thereof, and by sending to the defendant at [his] such  
1552 defendant's last-known address by registered or certified mail, postage  
1553 prepaid, a like true and attested copy, with an endorsement thereon of  
1554 the service upon said commissioner. The officer serving such process  
1555 upon the [commissioner] executive director shall pay to [said  
1556 commissioner] the executive director at the time of service a fee of five  
1557 dollars, which fee shall be taxed as costs in the case. [Said  
1558 commissioner] The executive director shall keep a record of each such  
1559 process and the day and hour of the service thereof. [upon him.] This  
1560 section shall extend the right of service of process upon nonresidents  
1561 and shall not limit any existing provisions for the service of process.  
1562 Such service shall be sufficient to confer jurisdiction of any such action  
1563 upon the court to which such process is returnable, and such court  
1564 may proceed to determine the issues in such action and render final  
1565 judgment with or without any further action by such court concerning  
1566 further order of notice to such operator or owner.

1567 Sec. 44. Section 15-90 of the general statutes is repealed and the  
1568 following is substituted in lieu thereof (*Effective from passage*):

1569 The [commissioner] executive director of the Connecticut Airport  
1570 Authority is directed to formulate and adopt, and from time to time as  
1571 may be necessary revise, an airport approach plan for each publicly-  
1572 owned airport in the state. Each such plan shall indicate the  
1573 circumstances in which structures or trees or both are or would be  
1574 airport hazards, the area within which measures for the protection of  
1575 the airport's aerial approaches should be taken and what the height  
1576 limits and other objectives of such measures should be. In adopting or  
1577 revising any such plan, the [commissioner] executive director shall

1578 consider, among other things, the character of the flying operations  
1579 expected to be conducted at the airport, the nature of the terrain, the  
1580 height of existing structures and trees above the level of the airport, the  
1581 practicability of lowering or removing existing obstructions and all  
1582 other material matters, and the [commissioner] executive director may  
1583 obtain and consider the views of the agency of the federal government  
1584 charged with the fostering of civil aeronautics as to the aerial  
1585 approaches necessary to safe flying operations at the airport.

1586 Sec. 45. Section 15-91 of the general statutes is repealed and the  
1587 following is substituted in lieu thereof (*Effective from passage*):

1588 (a) Every municipality having within its territorial limits an area  
1589 within which, according to an airport approach plan adopted by the  
1590 [commissioner] executive director, measures should be taken for the  
1591 protection of airport approaches, shall adopt, administer and enforce,  
1592 under the police power and in the manner and upon the conditions  
1593 hereinafter prescribed, airport zoning regulations applicable to such  
1594 area, which regulations shall divide the area into zones and, within  
1595 such zones, specify the land uses permitted, and regulate and restrict  
1596 the height to which structures and trees may be erected or allowed to  
1597 grow, as may be necessary to effectuate the [commissioner's] executive  
1598 director's approach plan for the airport.

1599 (b) If a municipality has adopted or adopts a general zoning  
1600 ordinance regulating, among other things, the height of buildings, any  
1601 airport zoning regulations adopted for the same area or portion thereof  
1602 under this section may be incorporated in and made a part of such  
1603 general zoning regulations and may be administered and enforced in  
1604 connection therewith, but such general zoning regulations shall not  
1605 limit the effectiveness or scope of the regulations adopted hereunder.

1606 (c) Any zoning or other regulations applicable to any area within  
1607 which, according to the airport approach plan adopted by the  
1608 [commissioner] executive director, measures should be taken for the  
1609 protection of airport approaches, including any airport zoning  
1610 regulations adopted under this section and any zoning or other

1611 regulations dealing with the same or similar matters adopted under  
1612 authority other than that conferred by this section, shall be consistent  
1613 with, and conform to, the [commissioner's] executive director's  
1614 approach plan for such area, and shall be amended from time to time  
1615 as may be necessary to conform to any revision of the plan that may be  
1616 made by the [commissioner] executive director.

1617 (d) All airport zoning regulations adopted hereunder shall be  
1618 reasonable, and none shall require the removal, lowering or other  
1619 change or alteration of any structure or tree not conforming to the  
1620 regulations when adopted or amended, or otherwise interfere with the  
1621 continuance of any nonconforming use, except as provided in  
1622 subsection (a) of section 15-93.

1623 (e) If any municipality fails to adopt airport zoning regulations  
1624 within a reasonable time, the [commissioner] executive director may,  
1625 for the protection of public safety, adopt and from time to time as may  
1626 be necessary amend or repeal such regulations for such municipality  
1627 until airport zoning regulations herein provided for are adopted by  
1628 such municipality.

1629 Sec. 46. Subsection (d) of section 15-94 of the general statutes is  
1630 repealed and the following is substituted in lieu thereof (*Effective from*  
1631 *passage*):

1632 (d) Any municipality aggrieved by any zoning ordinance or  
1633 regulation under the terms of sections 15-88 to 15-97, inclusive, as  
1634 amended by this act, may appeal to the [commissioner] executive  
1635 director without recourse to the board of appeals.

1636 Sec. 47. Section 15-95 of the general statutes is repealed and the  
1637 following is substituted in lieu thereof (*Effective from passage*):

1638 Any person aggrieved by the action of a board of appeals acting  
1639 under the provisions of subsection (c) of section 15-94, or any  
1640 municipality aggrieved by the action of the [commissioner] executive  
1641 director, may appeal therefrom as provided in section 8-8.

1642 Sec. 48. Section 15-97 of the general statutes is repealed and the  
1643 following is substituted in lieu thereof (*Effective from passage*):

1644 Any person who violates any provision of sections 15-88 to 15-96,  
1645 inclusive, or any regulation, order, zoning ordinance or ruling  
1646 promulgated or made pursuant thereto, shall (1) for a first offense, be  
1647 fined not more than two hundred fifty dollars, and (2) for any  
1648 subsequent offense, be guilty of a class D misdemeanor. Each day a  
1649 violation continues to exist shall constitute a separate offense. In  
1650 addition, either the municipality within which the property is located  
1651 or the [commissioner] executive director may institute, in any court of  
1652 competent jurisdiction, an action to prevent, restrain, correct or abate  
1653 any violation thereof, or of airport zoning regulations adopted  
1654 thereunder, or of any order or ruling made in connection with their  
1655 administration or enforcement, and the court shall adjudge to the  
1656 plaintiff such relief, by way of injunction, which may be mandatory, or  
1657 otherwise, as may be proper under all the facts and circumstances of  
1658 the case, in order fully to effectuate the purpose of said sections and of  
1659 the regulations adopted and orders and rulings made pursuant  
1660 thereto.

1661 Sec. 49. Section 15-103 of the general statutes is repealed and the  
1662 following is substituted in lieu thereof (*Effective from passage*):

1663 The [Commissioner of Transportation] executive director of the  
1664 Connecticut Airport Authority shall provide for hearings upon request  
1665 of any person who may be affected by [his] the executive director's  
1666 orders or acts under the provisions of this chapter and may provide for  
1667 a stay thereof until a hearing is had. Any person aggrieved by any  
1668 order or act of the [commissioner] executive director hereunder may  
1669 appeal therefrom in accordance with the provisions of section 4-183.

1670 Sec. 50. Section 15-104 of the general statutes is repealed and the  
1671 following is substituted in lieu thereof (*Effective from passage*):

1672 (a) The operator of any aircraft involved in an accident within this  
1673 state in which any person is killed or injured or damage in excess of

1674 one thousand dollars is sustained to the property of any person, other  
1675 than property owned by the owner or operator or in [his] such owner's  
1676 or operator's care, custody or control or carried in or on the aircraft,  
1677 shall immediately but not later than fourteen calendar days after the  
1678 accident report the matter in writing to the [Commissioner of  
1679 Transportation] executive director of the Connecticut Airport  
1680 Authority. If the operator is physically incapable of making the report,  
1681 the owner of the aircraft involved in the accident shall immediately but  
1682 not later than fourteen calendar days after learning of the accident  
1683 make the report. If neither the operator nor the owner is physically  
1684 capable of making the report, then each passenger shall, within ten  
1685 days after learning of the incapacity of the operator or owner, make the  
1686 report. If the owner or operator dies as a result of the accident, the  
1687 legal representative of the operator or owner shall make the report  
1688 within ten days after [his] such representative's qualification. The state  
1689 police shall notify the [commissioner thereof] executive director of the  
1690 accident in writing immediately but not later than fourteen calendar  
1691 days after learning of the accident.

1692 (b) The report, the form of which shall be prescribed by the  
1693 [commissioner] executive director, shall include information to enable  
1694 the [commissioner] executive director to determine whether the  
1695 requirements for the deposit of security under section 15-105, as  
1696 amended by this act, are inapplicable by reason of the existence of  
1697 insurance or other exceptions specified in this chapter. The  
1698 [commissioner] executive director may rely upon the accuracy of the  
1699 information until he or she has reason to believe that the information is  
1700 erroneous.

1701 (c) The operator and the owner shall furnish such additional  
1702 information as the [commissioner] executive director may require.

1703 Sec. 51. Section 15-105 of the general statutes is repealed and the  
1704 following is substituted in lieu thereof (*Effective from passage*):

1705 (a) As promptly as practicable but not later than thirty days after  
1706 receipt of an accident report as required in section 15-104, as amended

1707 by this act, the [commissioner] executive director shall determine by an  
1708 order entered of record (1) the amount of security within the limits  
1709 specified in section 15-106, as amended by this act, which [he] the  
1710 executive director deems sufficient to satisfy any judgment for  
1711 damages resulting from the accident which may be recovered against  
1712 each owner or operator, and (2) the name and address of each  
1713 claimant.

1714 (b) As promptly as practicable but not later than thirty days after the  
1715 entry of the order required by subsection (a) of this section, the  
1716 [commissioner] executive director, unless there is deposited for the  
1717 benefit of the owner or operator or both, as the case may be, security in  
1718 the sum so determined by the [commissioner] executive director, upon  
1719 ten days' notification shall suspend: (1) The operating privilege of the  
1720 owner and of all aircraft owned by [him;] the owner; or (2) the  
1721 operating privilege of the operator.

1722 (c) The requirements as to security and suspension do not apply: (1)  
1723 To the operator or the owner of the aircraft if the [commissioner]  
1724 executive director determines upon satisfactory evidence that [he] the  
1725 operator or owner is not charged with responsibility for the accident  
1726 by the claimants, or to the operator of an aircraft involved in an  
1727 accident in which no injury was caused to the person of anyone other  
1728 than the operator, and no damage in excess of three hundred dollars  
1729 was caused to property not owned, rented, occupied or used by such  
1730 operator nor in his or her care, custody or control nor carried in or on  
1731 the aircraft; (2) to the operator or owner of an aircraft if at the time of  
1732 the accident the aircraft was stationary, without passengers thereon or  
1733 boarding the aircraft or alighting therefrom and the aircraft was  
1734 parked in an area legally used for aircraft parking with no engine  
1735 running nor in the process of being started; (3) to the owner of an  
1736 aircraft if at the time of the accident the aircraft was being operated, or  
1737 was parked, without [his] the owner's permission, express or implied;  
1738 (4) to the owner if there is in effect at the time of the accident an  
1739 aircraft liability policy or bond with respect to the aircraft involved in  
1740 the accident; (5) to the operator, if not the owner of the aircraft, if there

1741 is in effect at the time of the accident an aircraft liability policy or bond  
1742 with respect to [his] the operator's operation of the aircraft involved in  
1743 the accident; (6) to the operator or owner if his or her liability for  
1744 damages resulting from such accident is covered by any other form of  
1745 liability insurance policy or bond in effect at the time of the accident;  
1746 (7) to any person qualifying as a self-insurer under section 15-108, as  
1747 amended by this act, or to any person operating an aircraft for the self-  
1748 insurer for whose acts the self-insurer is legally responsible; nor (8)  
1749 after there is filed with the [commissioner] executive director  
1750 satisfactory evidence that the person otherwise required to deposit  
1751 security has (i) been released from liability; or (ii) been adjudicated not  
1752 to be liable by judgment, or (iii) executed a written agreement with all  
1753 claimants providing for payment of an agreed amount with respect to  
1754 all claims for injuries or damages resulting from the accident.

1755 (d) The requirements as to suspension may be waived by the  
1756 [commissioner] executive director, in his or her discretion, if there is  
1757 filed with the [commissioner] executive director by all claimants  
1758 consent in writing that the person hereunder chargeable be allowed  
1759 continuing operating privilege. If such waiver is granted by the  
1760 [commissioner] executive director, it shall continue for six months  
1761 from the date of the consent and thereafter unless the consent is  
1762 revoked in writing.

1763 (e) The [commissioner] executive director may take the actions  
1764 authorized hereby or may modify or rescind the same at any time  
1765 necessary to carry out the provisions of this chapter upon ten days'  
1766 notification of the persons affected thereby.

1767 Sec. 52. Section 15-107 of the general statutes is repealed and the  
1768 following is substituted in lieu thereof (*Effective from passage*):

1769 Operating privileges suspended as provided in section 15-105, as  
1770 amended by this act, shall not be restored or renewed until: (a)  
1771 Security is deposited as required under section 15-105, as amended by  
1772 this act; or (b) two years have elapsed following the date of such  
1773 suspension and satisfactory evidence is filed with the [commissioner]



1774 executive director that during such period no action for damages  
1775 arising out of the accident has been instituted; or (c) satisfactory  
1776 evidence is filed with the [commissioner] executive director of a  
1777 release from liability, or a judgment of nonliability as to all persons  
1778 damaged or injured in the accident, or a written agreement executed  
1779 with all claimants providing for payment of an agreed amount with  
1780 respect to all claims for injuries and damages resulting from the  
1781 accident. If there is a default in payment under such written  
1782 agreement, then upon ten days' notification of the owner or operator,  
1783 the [commissioner] executive director shall suspend the operating  
1784 privilege of such person defaulting and the same shall not be restored  
1785 unless and until (1) such person deposits and thereafter maintains  
1786 security as required under section 15-105, as amended by this act, in  
1787 such amount as the [commissioner] executive director may then  
1788 determine, within the limits provided in section 15-106, or (2) two  
1789 years have elapsed following the time when such security was  
1790 required upon default and during such period no action upon the  
1791 agreement has been instituted in a court of this state; or (d) satisfactory  
1792 evidence is filed with the [commissioner] executive director that any  
1793 judgment against such person for damages resulting from the accident  
1794 has been satisfied in full or that there has been paid thereon an amount  
1795 equal to the applicable limits set forth in section 15-106; or (e) written  
1796 consent thereto has been filed with the [commissioner] executive  
1797 director by all claimants and the same is approved by the  
1798 [commissioner in his] executive director in his or her discretion.

1799 Sec. 53. Section 15-108 of the general statutes is repealed and the  
1800 following is substituted in lieu thereof (*Effective from passage*):

1801 (a) Any person may at any time apply to the [commissioner]  
1802 executive director for a certificate of self-insurance, whether or not  
1803 there has occurred an accident as a result of which [he] such person  
1804 might be affected by some other provision of this chapter.

1805 (b) The [commissioner] executive director may issue a certificate of  
1806 self-insurance when satisfied that the applicant is possessed and will

1807 continue to be possessed of ability to pay judgments against [him] the  
1808 applicant within the limits provided in this chapter.

1809 (c) Upon not less than ten days' notification of a self-insurer, the  
1810 [commissioner] executive director may for reasonable cause cancel a  
1811 certificate of self-insurance and shall cancel such certificate upon  
1812 failure of a self-insurer to pay any judgment within thirty days.

1813 Sec. 54. Section 15-109 of the general statutes is repealed and the  
1814 following is substituted in lieu thereof (*Effective from passage*):

1815 (a) When a nonresident's operating privilege is suspended pursuant  
1816 to section 15-105, as amended by this act, or 15-107, as amended by this  
1817 act, the [commissioner] executive director shall transmit a certified  
1818 copy of the record of such action to the official or department  
1819 regulating the operation of aircraft in the state in which the  
1820 nonresident resides, if the law of the other state provides for action in  
1821 relation thereto, similar to that provided for in subsection (b) of this  
1822 section.

1823 (b) Upon receipt of a certification that the operating privilege of a  
1824 resident of this state has been suspended or revoked in any other state  
1825 pursuant to a law providing for its suspension or revocation for failure  
1826 to deposit security for the payment of judgments arising out of an  
1827 aircraft accident, under circumstances which would require the  
1828 [commissioner] executive director to suspend a nonresident's  
1829 operating privilege had the accident occurred in this state, the  
1830 [commissioner] executive director, upon ten days' notification to the  
1831 resident, shall suspend the right of such resident to operate any aircraft  
1832 in this state if [he] such resident was the operator of an aircraft  
1833 involved in the accident or if [he] such resident was the owner of an  
1834 aircraft involved in the accident and was legally responsible for its  
1835 operation and shall suspend the right of such owner to permit the  
1836 operation of such aircraft in this state. The suspension shall continue  
1837 until the resident furnishes evidence of his or her compliance with the  
1838 security requirements of the law of the other state.

1839 Sec. 55. Section 15-110 of the general statutes is repealed and the  
1840 following is substituted in lieu thereof (*Effective from passage*):

1841 (a) The security required under this chapter shall be cash or  
1842 securities permissible under state law as security for deposit of state  
1843 funds and in such amount as the [commissioner] executive director  
1844 may require but in no case in excess of the limits specified in section  
1845 15-106 in reference to the limits of a policy or bond. If at the time of the  
1846 accident there is in effect a liability policy or a bond meeting the  
1847 requisites of this chapter other than amount of coverage set forth in  
1848 section 15-106, the [commissioner] executive director may consider  
1849 such policy or bond in fixing the amount of security. The person  
1850 depositing security shall specify in writing the person or persons on  
1851 whose behalf the deposit is made and, at any time while such deposit  
1852 is in the custody of the State Treasurer, the person depositing it may,  
1853 upon approval of the [commissioner] executive director, amend in  
1854 writing the specification of the person or persons on whose behalf the  
1855 deposit is made to include an additional person or persons; provided a  
1856 single deposit of security shall be applicable only on behalf of persons  
1857 required to furnish security because of the same accident. Interest and  
1858 other income upon securities deposited as herein provided shall be  
1859 paid or inure to the benefit of the person making the deposit.

1860 (b) Upon ten days' notification of the parties concerned, the  
1861 [commissioner] executive director may reduce or, within the limits  
1862 specified in [sections] section 15-106, increase the amount of security  
1863 ordered in any case if in [his] the executive director's discretion the  
1864 amount ordered is excessive or insufficient. In case the security  
1865 originally ordered has been deposited, the excess shall be returned to  
1866 the depositor, notwithstanding the provisions of section 15-111, as  
1867 amended by this act. Substitution of security shall be permitted.

1868 Sec. 56. Section 15-111 of the general statutes is repealed and the  
1869 following is substituted in lieu thereof (*Effective from passage*):

1870 Security deposited in compliance with the requirements of this  
1871 chapter shall be delivered to the [commissioner] executive director and

1872 shall be placed by [him] the executive director in the custody of the  
1873 State Treasurer and shall be released only: [(a)] (1) Upon a certificate of  
1874 the [commissioner] executive director in the payment of a judgment  
1875 rendered against the person or persons on whose behalf the deposit  
1876 was made, for damages arising out of the accident in a civil action  
1877 begun not later than two years after the date of the accident or within  
1878 two years after the date of deposit of any security under subdivision  
1879 (1) of subsection (c) of section 15-107, as amended by this act, or in the  
1880 payment of a settlement, agreed to by the depositor and all the  
1881 claimants, of a claim or claims arising out of the accident; [(b)] (2) upon  
1882 a certificate of the [commissioner] executive director issued after ten  
1883 days' notification of all claimants upon evidence satisfactory to the  
1884 [commissioner] executive director that all claims arising from such  
1885 accident have been satisfied by either [(1)] (A) a release from liability,  
1886 [or (2)] (B) a judgment of nonliability, [or (3)] (C) a written agreement  
1887 in accordance with subdivision (8) of subsection (c) of section 15-105,  
1888 as amended by this act, or (D) whenever after the expiration of two  
1889 years from the time of the accident or from the date of deposit of any  
1890 security under subdivision (1) of subsection (c) of section 15-107, as  
1891 amended by this act, the [commissioner] executive director is given  
1892 satisfactory evidence that there is no such action pending and that no  
1893 judgment rendered in any such action is unpaid; [(c)] (3) upon the  
1894 certificate of the [commissioner] executive director that other security,  
1895 complying with subsection (a) of section 15-110, as amended by this  
1896 act, and satisfactory in form, character and amount, has been deposited  
1897 with it in lieu of the original security deposited hereunder.

1898 Sec. 57. Section 15-112 of the general statutes is repealed and the  
1899 following is substituted in lieu thereof (*Effective from passage*):

1900 The records of and proceedings before the [commissioner] executive  
1901 director and the State Treasurer shall be inadmissible in evidence and  
1902 shall not be referred to at the trial of any civil action or criminal  
1903 proceeding. Subject to the foregoing provisions, the [commissioner]  
1904 executive director shall, upon written request, make available to  
1905 persons whose legal rights may be affected thereby, information and

1906 material developed in the course of [his] the executive director's  
 1907 administration of this chapter.

1908 Sec. 58. Section 15-115 of the general statutes is repealed and the  
 1909 following is substituted in lieu thereof (*Effective from passage*):

1910 (a) Any owner or operator who knowingly refuses or fails to make  
 1911 any report of an accident as required in section 15-104, as amended by  
 1912 this act, shall be fined not more than one hundred dollars, and if any  
 1913 person is killed or injured in such accident, the [commissioner]  
 1914 executive director shall, in addition, suspend the operating privilege of  
 1915 the person failing to make such report, until such report is filed and for  
 1916 such further period not to exceed thirty days as the [commissioner]  
 1917 executive director may fix.

1918 (b) Any owner or operator who knowingly makes a false statement  
 1919 or representation of a material fact in a report to or written instrument  
 1920 filed with the [commissioner] executive director shall be guilty of a  
 1921 class C misdemeanor.

1922 Sec. 59. Section 15-120pp of the general statutes is repealed. (*Effective*  
 1923 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	15-120bb(n)
Sec. 2	<i>from passage</i>	15-120dd
Sec. 3	<i>from passage</i>	32-1m(a)
Sec. 4	<i>from passage</i>	32-9(d)
Sec. 5	<i>from passage</i>	32-9r
Sec. 6	<i>from passage</i>	32-75d
Sec. 7	<i>from passage</i>	13b-39
Sec. 8	<i>from passage</i>	13b-39a
Sec. 9	<i>from passage</i>	13b-39b
Sec. 10	<i>from passage</i>	13b-39c
Sec. 11	<i>from passage</i>	13b-39d
Sec. 12	<i>from passage</i>	13b-39g
Sec. 13	<i>from passage</i>	13b-43

Sec. 14	<i>from passage</i>	13b-44
Sec. 15	<i>from passage</i>	13b-45
Sec. 16	<i>from passage</i>	13b-46
Sec. 17	<i>from passage</i>	13b-47
Sec. 18	<i>from passage</i>	13b-48
Sec. 19	<i>from passage</i>	13b-49
Sec. 20	<i>from passage</i>	13b-49a
Sec. 21	<i>from passage</i>	13b-50
Sec. 22	<i>from passage</i>	13b-50a
Sec. 23	<i>from passage</i>	13b-50b
Sec. 24	<i>from passage</i>	13b-50p
Sec. 25	<i>from passage</i>	15-34
Sec. 26	<i>from passage</i>	15-39
Sec. 27	<i>from passage</i>	15-41
Sec. 28	<i>from passage</i>	15-43
Sec. 29	<i>from passage</i>	15-44
Sec. 30	<i>from passage</i>	15-45
Sec. 31	<i>from passage</i>	15-54
Sec. 32	<i>from passage</i>	15-60
Sec. 33	<i>from passage</i>	15-66
Sec. 34	<i>from passage</i>	15-67
Sec. 35	<i>from passage</i>	15-71a
Sec. 36	<i>from passage</i>	15-73
Sec. 37	<i>from passage</i>	15-74
Sec. 38	<i>from passage</i>	15-74a
Sec. 39	<i>from passage</i>	15-74b
Sec. 40	<i>from passage</i>	15-74c
Sec. 41	<i>from passage</i>	15-75
Sec. 42	<i>from passage</i>	15-76
Sec. 43	<i>from passage</i>	15-87
Sec. 44	<i>from passage</i>	15-90
Sec. 45	<i>from passage</i>	15-91
Sec. 46	<i>from passage</i>	15-94(d)
Sec. 47	<i>from passage</i>	15-95
Sec. 48	<i>from passage</i>	15-97
Sec. 49	<i>from passage</i>	15-103
Sec. 50	<i>from passage</i>	15-104
Sec. 51	<i>from passage</i>	15-105
Sec. 52	<i>from passage</i>	15-107
Sec. 53	<i>from passage</i>	15-108
Sec. 54	<i>from passage</i>	15-109

Sec. 55	<i>from passage</i>	15-110
Sec. 56	<i>from passage</i>	15-111
Sec. 57	<i>from passage</i>	15-112
Sec. 58	<i>from passage</i>	15-115
Sec. 59	<i>from passage</i>	Repealer section

**TRA**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

The bill transfers all aeronautic powers and duties from the Commissioner of the Department of Transportation (DOT) to the executive Director of the Connecticut Airport Authority (CAA). The bill conforms to current practice and does not result in a fiscal impact to the state. The CAA currently operates the Bradley International Airport and the five General Aviation airports.

The bill also has no impact by transferring the administrative functions related to airport development zones from the Connecticut Airport Authority to the Department of Economic and Community Development (DECD). DECD currently administers the state's enterprise zone program, under which include airport development zones. The agency therefore has the staff and resources necessary to administer airport development zones.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None



**OLR Bill Analysis****sHB 6823*****AN ACT CONCERNING THE CONNECTICUT AIRPORT AUTHORITY'S RECOMMENDATIONS REGARDING OPERATION OF THE AUTHORITY, AIRPORT DEVELOPMENT ZONE ADMINISTRATION AND THE AUTHORITY'S JURISDICTION OVER AERONAUTICS IN THE STATE.*****SUMMARY:**

This bill transfers jurisdiction over aeronautics in the state from the Department of Transportation (DOT) to the Connecticut Airport Authority (CAA), except that the DOT commissioner retains jurisdiction over the taking of property connected with airports.

The bill also:

1. allows the CAA board to authorize the executive director (ED) to make nonbudgeted expenditures of up to \$500,000 under certain circumstances;
2. transfers CAA's administrative functions related to airport development zones (ADZs) to the Department of Economic and Community Development (DECD) in order to comply with federal law; and
3. requires the CAA advisory committee, which consults with the ED on Bradley International Airport, to include at least one representative from western Massachusetts.

Finally, the bill makes numerous technical and conforming changes in transferring aeronautics jurisdiction to CAA and ADZ administration to DECD.

EFFECTIVE DATE: Upon passage

**NONBUDGETED EXPENDITURE APPROVAL**

Under current law, CAA's executive director must get approval for nonbudgeted expenditures over \$5,000. The bill allows CAA's board of directors to authorize the executive director to make nonbudgeted expenditures of up to \$500,000 without board approval in the following circumstances: (1) restoring operations at any CAA airport that is damaged by a natural disaster or incurs a casualty loss that creates unsafe conditions or (2) when the failure to act would disrupt operations.

Within 24 hours of making a nonbudgeted expenditure, the executive director must notify the board chair or vice chair of the amount of, and reason for, the expenditure.

**AIRPORT DEVELOPMENT ZONE ADMINISTRATION**

This bill transfers CAA's ADZ administrative functions to DECD in order to comply with the Federal Aviation Administration's (FAA) revenue diversion policy (see BACKGROUND).

In doing so, it:

1. allows DECD, rather than CAA, to establish additional ADZs surrounding general aviation airports or any other airports within the CAA's authority;
2. requires DECD, rather than CAA, to issue certificates to businesses it determines to be eligible and follow reconsideration procedures for those it denies; and
3. eliminates provisions requiring (a) CAA to report annually to DECD on ADZs and (b) DECD to consult with CAA when making recommendations regarding ADZs in its annual report.

The bill also allows municipalities, rather than the DECD commissioner, to develop and submit the proposals for new ADZs. Under current law, the commissioner submits ADZ proposals to the CAA for its approval. The bill requires the DECD commissioner to

approve or reject ADZ proposals from municipalities and allows her to modify any proposed zone.

By law, eligible businesses in ADZs qualify for the same property and corporate income tax benefits as those in enterprise zones. Existing law requires DECD to administer the enterprise zone program, including administering the property tax exemptions granted to businesses in ADZs.

## **BACKGROUND**

### ***FAA's Revenue Diversion Policy***

Federal law and FAA policy require, as a condition for receiving federal airport development grants, that all airport revenues be used for the operating and capital costs of the airport, the local airport system, or certain other facilities directly related to the air transportation of passengers or property. FAA policy specifically prohibits using airport revenue for general economic development purposes that are not directly related to airport development. If the FAA determines that an unlawful diversion of funds has occurred, it may withhold payment of existing or future grants and assess civil penalties, among other things (49 U.S.C. § § 47107; 64 Fed. Reg. 7696).

## **COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute

Yea 31 Nay 0 (03/18/2015)